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Briefing on How To Use the Federal Register
For information on a briefing in Washington, DC, see announcement on the inside cover of this issue.

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WHAT IT IS AND HOW TO USE IT

FOR: Any person who uses the Federal Register and Code of Federal Regulations.

WHO: The Office of the Federal Register.

WHAT: Free public briefings (approximately 3 hours) to present:

1. The regulatory process, with a focus on the Federal Register system and the public's role in the development of regulations.
2. The relationship between the Federal Register and Code of Federal Regulations.
3. The important elements of typical Federal Register documents.
4. An introduction to the finding aids of the FR/CFR system.

WHY: To provide the public with access to information necessary to research Federal agency regulations which directly affect them. There will be no discussion of specific agency regulations.

WASHINGTON, DC

WHEN: April 7, at 9:00 a.m.
WHERE: Office of the Federal Register, First Floor Conference Room, 1100 L Street NW., Washington, DC.
RESERVATIONS: 202–523–5240.
DIRECTIONS: North on 11th Street from Metro Center to corner of 11th and L Streets

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Presidential Documents

Title 3—

The President

Proclamation 6411 of March 12, 1992

To Amend the Generalized System of Preferences

By the President of the United States of America

A Proclamation

1. Pursuant to section 504(a)(1) of the Trade Act of 1974, as amended (the 1974 Act) (19 U.S.C. 2464(a)(1)), the President may withdraw, suspend, or limit the application of the duty-free treatment afforded under the Generalized System of Preferences (GSP) with respect to any article or any country after considering the factors set forth in sections 501 and 502(c) of the 1974 Act (19 U.S.C. 2461 and 2462(c)). Accordingly, after taking into account the factors set forth in sections 501 and 502(c) of the 1974 Act, I have determined that it is appropriate to withdraw the duty-free treatment afforded under the GSP to imports from Malaysia of vulcanized rubber thread and cord provided for in heading 4007.00.00 of the Harmonized Tariff Schedule of the United States (HTS).

2. Section 604 of the 1974 Act (19 U.S.C. 2483) authorizes the President to embody in the HTS the substance of the provisions of that Act, and of other acts affecting import treatment, and actions thereunder.

NOW, THEREFORE, I, GEORGE BUSH, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States of America, including but not limited to sections 501, 502(c), 504(a)(1), and 604 of the 1974 Act, do proclaim that:

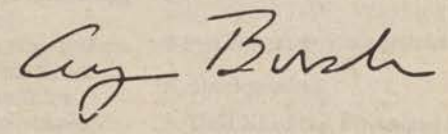
(1) In order to provide that Malaysia should no longer be treated as a beneficiary developing country with respect to HTS heading 4007.00.00 for purposes of the GSP, the Rates of Duty 1–Special subcolumn for HTS heading 4007.00.00 is modified: (i) by deleting the symbol "A" in parentheses, and (ii) by inserting the symbol "A*" in lieu thereof.

(2) In order to provide that Malaysia should no longer be treated as a beneficiary developing country with respect to HTS heading 4007.00.00 for purposes of the GSP, general note 3(c)(ii)(D) to the HTS is modified by adding, in numerical sequence, "4007.00.00 Malaysia".

(3) Any provisions of previous proclamations and Executive orders inconsistent with the provisions of this proclamation are hereby superseded to the extent of such inconsistency.

(4) The modifications to the HTS made by paragraphs (1) and (2) of this proclamation shall be effective with respect to articles both: (i) imported on or after January 1, 1976, and (ii) entered, or withdrawn from warehouse for consumption, on or after 15 days after the date of publication of this proclamation in the **Federal Register**.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of March, in the year of our Lord nineteen hundred and ninety-two, and of the Independence of the United States of America the two hundred and sixteenth.



[FR Doc. 92-6215
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Rules and Regulations

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.
The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 34

[TB-92-08]

Tobacco Seed and Plant Exportation Act

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: The Department of Agriculture is removing the regulations at 7 CFR part 34 containing the procedures for implementing the Tabacco Seed and Plant Exportation Act and reserving the Part for future use. These regulations are no longer needed as the legislation on which they are based has been repealed.

EFFECTIVE DATE: March 16, 1992.

FOR FURTHER INFORMATION CONTACT: Larry L. Crabtree, Chief, Market Information and Program Analysis Branch, Tobacco Division, AMS, USDA, P.O. Box 96456, room 506 Annex, Washington, DC 20090-6456, telephone (202) 205-0489.

SUPPLEMENTARY INFORMATION: On December 13, 1991, the President signed the Food, Agriculture, Conservation, and Trade Act Amendments of 1991, Public Law 102-237. Section 1019 of this Act repealed the Tobacco Seed and Plant Exportation Act, Public Law 76-543, 7 U.S.C. 516. Therefore, this final rule removes the regulations which were issued pursuant to the repealed legislative provisions.

This action has been reviewed in accordance with Executive Order 12291 and Departmental Regulation 1512-1 and has been determined to be "non major" since it does not meet the criteria for major regulatory action as stated in the Order.

The Administrator, Agricultural Marketing Service (AMS), has certified that this action will not have a significant impact on a substantial number of small entities since it relieves a restriction by deleting a requirement for a permit prior to exportation of tobacco seed and plants.

Moreover, pursuant to 5 U.S.C. 553, it is found and determined that it is impractical, unnecessary, and contrary to the public interest to give preliminary notice concerning this action or engage in further public procedure with respect to this amendment, and that good cause exists for not postponing the effective date of this action until 30 days after publication in the Federal Register. This is because it merely removes regulations which were issued pursuant to legislative provisions which were repealed on December 13, 1991.

List of Subjects in 7 CFR Part 34

Exports, Plants, Seeds, and Tobacco.

For the reasons set forth in the preamble, the regulations at 7 CFR part 34 are removed and the part is reserved for future use.

PART 34—[REMOVED AND RESERVED]

Authority: Sec. 109, 105 Stat. 1818, December 13, 1991.

Dated: March 9, 1992.

Kenneth C. Clayton,

Acting Administrator.

[FR Doc. 92-6003 Filed 3-13-92; 8:45 am]
BILLING CODE 3410-02-M

FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Part 323

RIN 3064-AB05

Appraisals

AGENCY: Federal Deposit Insurance Corporation ("FDIC").

ACTION: Final rule.

SUMMARY: In accordance with the proposed rule published September 17, 1991 (56 FR 47035), the FDIC is amending Part 323 to identify additional transactions for which the services of an appraiser are not required. This final rule: Eliminates the requirement for FDIC-regulated institutions to obtain appraisals by certified or licensed appraisers for real estate-related financial transactions having a value, as defined in the rule, of $100,000 or less; permits FDIC-regulated institutions to use appraisals prepared for loans insured or guaranteed by an agency of the federal government if the appraisal conforms to regulations or other written requirements of the federal insurer or guarantor; excepts appraisals involving 1-to-4 family residential properties from certain minimum appraisal standards under specified conditions; and adds a definition of "real estate" and "real property" to clarify that the appraisal regulation does not apply to transactions involving mineral rights, timber rights, growing crops, water rights, or similar interests in real estate when the transaction does not involve the associated parcel or tract of land.

The final rule also incorporates three technical amendments. The first technical amendment clarifies that the requirements of the appraisal regulation must be met for all real estate-related financial transactions except those in which the services of an appraiser are not required under the rule. The second technical amendment confirms that in accordance with the Federal Deposit Insurance Corporation Improvement Act of 1991, Public Law No. 102-242, 105 Stat. 2236, the FDIC has delayed until December 31, 1992, the date by which certified and licensed appraisers must be used for all federally related transactions. The third technical amendment clarifies that the appraisal regulation does not apply to loans not secured by real property.

EFFECTIVE DATE: This final rule is effective March 16, 1992.

FOR FURTHER INFORMATION CONTACT: (For information on supervisory issues) James D. Leitner, Examination Specialist, Division of Supervision (202) 898-6790, or Robert F. Miailovich, Assistant Director, DOS (202) 898-6918; (for information on legal issues) Walter P. Doyle, Counsel, Legal Division (202) 898-3682; (for information on liquidation issues) N. Jack Taylor, Senior Liquidation Specialist, Division of Liquidation, (202) 898-7326; FDIC, 550 17th Street, NW., Washington, DC 20429.

SUPPLEMENTARY INFORMATION:

A. Background

Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act

of 1989 ("FIRREA") directed the FDIC, and the other financial institutions regulatory agencies,[1] to publish appraisal rules for federally related transactions within the jurisdiction of each agency. In accordance with statutory requirements, the FDIC published an appraisal rule which established minimum standards for appraisals used in connection with federally related transactions and identified those federally related transactions that require a state certified appraiser and those that require either a state certified or licensed appraiser. The final rule was published August 20, 1990 (55 FR 33879).

On September 17, 1991, the FDIC published a proposal to amend its appraisal regulation to address concerns raised by regulated institutions. Their concerns related to complying with the appraisal regulation's requirements for certain low dollar amount real estate secured loans which have not caused them substantial losses, government guaranteed and insured loans, and transactions involving mineral rights, timber rights, and growing crops independent of the associated parcel or tract of land. To address these concerns, the FDIC proposed to: (1) Increase from $50,000 to $100,000 the threshold above which the services of certified and licensed appraisers would be required; (2) permit the use of appraisals prepared for loans insured or guaranteed by an agency of the federal government if the appraisal conforms to regulations or other written requirements of the federal insurer or guarantor; and (3) add a definition of "real estate" and "real property" to clarify that the appraisal regulation does not apply to mineral rights, timber rights, or growing crops.

B. Comments on the Proposed Rule

The FDIC received approximately 1775 comment letters on the proposed amendments to its appraisal rule. Of these, about 950 letters were received from banks and banking organizations while approximately 775 comment letters were received from appraiser organizations and appraisers. In addition, there were approximately 50 letters from other organizations and individuals. These comments are discussed below.

[1] These are: the Board of Governors of the Federal Reserve System, the Office of the Comptroller of the Currency, the Office of Thrift Supervision, and the National Credit Union Administration. In addition, the Resolution Trust Corporation has issued appraisal rules under title XI of FIRREA.

Authority to Establish Threshold

Appraisers and appraiser associations argued that the FDIC lacked authority to establish any threshold level below which real estate-related financial transactions would not require the services of an appraiser. They asserted that Congress intended that appraisers were to be used in connection with all real estate-related financial transactions. Alternatively, they argued that title XI of FIRREA requires regulated institutions to use appraisers in all cases in which any form of evaluation of real estate is undertaken by or on behalf of the institution. The FDIC disagrees with these assertions.

Title XI of FIRREA establishes a framework for regulating appraisals and appraiser services used in connection with certain transactions involving real estate, referred to in the legislation as a "federally related transaction." Section 1121 of FIRREA, 12 U.S.C. 3350, defines a "federally related transaction" as a real estate-related financial transaction which, *inter alia*, requires the services of an appraiser. Consequently, by the express terms of the definitions in title XI of FIRREA, "real estate-related financial transaction" and "federally related transaction" are not equivalent. Instead, federally related transactions are a subset of real estate-related financial transactions, with one of the distinguishing factors being whether the services of an appraiser are required in connection with the transaction.

Title XI of FIRREA does not state when the services of an appraiser are required in connection with a real estate-related financial transaction. However, the legislation does state that its purpose is to protect "Federal financial and public policy interests in real estate related transactions." *See* section 1101 of FIRREA, 12 U.S.C. 3331. From a review of the legislation and the committee reports issued in conjunction with title XI of FIRREA, the FDIC understands these federal financial and public policy interests to include reducing losses to the deposit insurance funds due to faulty and fraudulent appraisals in connection with real estate-related financial transactions, improving the professional conduct and supervision of appraisers, and ensuring the stability of the residential mortgage markets. These considerations parallel our broader concern that banks not engage in unsafe and unsound banking practices when conducting their activities. See 12 U.S.C. 1818.

Consequently, in determining which real estate-related financial transactions should require appraisals, the FDIC examined whether the services of an appraiser were necessary either to protect federal financial and public policy interests in particular transactions, or as a matter of safe and sound banking practice. This approach to determining when the services of an appraiser are required not only ensures that the purposes of title XI of FIRREA are met, but also meets the FDIC's pre-existing statutory obligation to ensure that regulated institutions conduct their activities in accordance with principles of safe and sound banking. Using this approach, the FDIC concluded that neither title XI of FIRREA nor principles of safe and sound banking require the use of appraisers in connection with all real estate-related financial transactions.

By explicitly recognizing that the services of an appraiser are not required for all real estate-related financial transactions, title XI of FIRREA provides for the existence of evaluations of real estate that are not appraisals. The FDIC has incorporated this distinction in its appraisal regulation based on its conclusion that, for transactions of $100,000 or less, the use of evaluations meets the purposes of title XI of FIRREA, satisfies principles of safe and sound banking, and will reduce costs for regulated institutions and borrowers.

Different formulations of these arguments that the FDIC lacked authority to establish a threshold level for use of an appraiser in real estate-related financial transactions were repeated in other comment letters. For instance, a comment letter from a national association of appraisers argued that the premise of title XI of FIRREA is that the use of certified or licensed appraisers is required whenever the value of real estate collateral is a material factor in determining credit quality so that in the event of default the sale of the collateral will satisfy the indebtedness. Obviously, the use of a certified or licensed appraiser does not guarantee against a loss in foreclosed property.

Just as title XI of FIRREA does not require the use of an appraiser in connection with all real estate-related financial transactions, it also does not provide that the only persons who may evaluate real estate collateral are appraisers. An evaluation is an assessment of the probable value of a property. It would be performed by an individual who has the knowledge and experience necessary to make an informed assessment of the property's value, but who is not expected to render an appraisal of the property. Clearly, banking personnel and others have long

performed such evaluations in connection with bank lending activities. To the extent that title XI requires a change in this practice, the change is mandated only where the services of an appraiser are necessary to protect federal financial and public policy interests in the real estate-related financial transactions involved. For these reasons, the FDIC concludes that there is no violation of the letter or intent of title XI of FIRREA by accepting an evaluation for real estate-related financial transactions when the services of an appraiser are not necessary to protect federal financial and public policy interests in those transactions.

Others assert that all transactions which were covered in the Guidelines for Real Estate Appraisal Policies and Review Procedures ("Guidelines") issued jointly by the FDIC, Office of the Comptroller of the Currency, and the Board of Governors of the Federal Reserve System, require appraisals by certified or licensed appraisers under title XI of FIRREA. Alternatively, some comment letters argued that title XI of FIRREA did not recognize a distinction between appraisals and evaluations and that there is no distinction between them. Again the FDIC does not agree. The Guidelines were issued prior to passage of title XI of FIRREA and generically referred to all evaluations of real estate, regardless of how informal or by whom they were performed, as appraisals.

The Threshold Level

Of the approximately 1775 comment letters received, over 1525 commented on whether the threshold level should be increased from $50,000 to $100,000. Of these, approximately 750 favored increasing the threshold level to $100,000 or more, while approximately 775 favored retaining or lowering the $50,000 threshold.

Comment letters that favored increasing the threshold level came primarily from bankers and bank related organizations. These letters stated that the institutions involved had experienced very few losses in connection with real estate transactions below $100,000. The majority of their losses were from loans greater than $100,000 and did not result from faulty or fraudulent appraisals, but rather from other factors including economic declines. Comment letters that opposed increasing the threshold, or suggested that it be lowered, came primarily from appraisal organizations and individual appraisers. Many of these letters argued that it is inappropriate to increase the threshold level from $50,000 to $100,000 in light of the losses experienced by insured depository institutions on real estate loans, including loans below the proposed $100,000 threshold. In addition, some argued that the $50,000 threshold level originally adopted by the FDIC was too high and was not supported by the rulemaking record.

After a careful review of the information provided in the comment letters on loss experience associated with real estate-related financial transactions of $100,000 or less, and based on FDIC's experience in examining banks, the FDIC concludes that the threshold may appropriately be set at $100,000. The FDIC has determined that the losses experienced by regulated institutions on transactions below this level are not sufficient to implicate federal financial and public policy interests in those transactions. Moreover, while requiring the use of certified or licensed appraisers may reduce the level of losses experienced on transactions of $100,000 or less, the FDIC does not believe that the aggregate reduction in losses would justify the continued imposition of this requirement for transactions between $50,001 and $100,000 as a matter of safe and sound banking practice.

In this regard it is important to note that by adopting the proposal to increase the threshold to $100,000, the FDIC is simply restoring the practices and procedures that were in place prior to the promulgation of the final appraisal rule for those transactions below the threshold level. This means that regulated institutions may continue to use the same reliable individuals to evaluate real estate in connection with transactions of $100,000 or less, as they used prior to adoption of the appraisal regulation. It recognizes that the evaluation prepared by these individuals will not be a written appraisal as defined in title XI of FIRREA and will not contain all of the detailed information and analysis required by the FDIC appraisal regulation, but instead will contain information and analysis that is consistent with the risk imposed by the transaction.

The FDIC requested comments on the current proposal to increase the threshold from $50,000 and $100,000 include specific information about the losses sustained on loans of $50,000 or less, of $50,001 to $100,000, and of more than $100,000. In addition, the FDIC requested that specific comments be provided on the estimated cost and delay in obtaining appraisals, prior to August 20, 1990, since August 20, 1990, and after the use of certified and licensed appraisers is requied for all federally related transactions. Approximately 575 banks provided loss information on real estate loans by size categories (loans of $50,000 or less, loans between $50,001 and $100,000 and loans of $100,000 or more). The following table shows the aggregate loss experiences based on the information provided.

TABLE A

Categories of loans secured by real estate (R.E. loans)	No. of R.E. loans (000)	Dollar amount of loans held by category ($000)	Loss on loans by category within 12 month period ($000)	Losses as a percent of dollar amount held by category (%)
Real Estate Secured Loans Above $100,000	34.213	13,695,758	188,103	1.37
Real Estate Secured Loans of $50,001 to $100,000	44.424	2,914,373	14,008	.48
Real Estate Secured Loans of $50,000 or below	259.582	5,046,986	15,470	.31

The schedule indicates that larger loans experience a higher loss ratio than smaller loans. Losses as a percent of amount held is 1.37% for loans above $100,000, 0.48% for loans of $50,001 to $100,000 and 0.31% for loans $50,000 or below. When comparing aggregate loss for each loan, loans greater than $100,000 average $5,498 of loss per loan while loans less than $100,000 average $98 per loan. The loss ratio and the average loss per loan clearly support the need for regulation for real estate loans above $100,000.

For real estate loans less than $100,000 it is probable that any reduction in average loss per loan that could be achieved through the appraisal regulation would be less than the cost of requiring an appraisal that meets all the regulatory requirements. An appraisal could not reduce the average loss of $98 per loan to $0 because poor quality appraisals are not the sole cause for real estate loan losses. Recessions or other economic conditions can cause a precipitous decline in local real estate values which can impact both the borrower's ability to repay as well as the level of collateral protection. Even when a conforming appraisal is available, lenders can make poor underwriting decisions by not properly assessing the borrower's financial condition or allowing excessive loan to value ratios. In addition, the appraisal regulation by itself does not assure "good" appraisals—it is only a supervisory tool for effecting corrective action and disciplining incompetent and/or unethical appraisers.

Banks were also asked to provide an estimate of the cost and time to obtain appraisals. It is difficult to tabulate the data because the respondents did not always specify the type of appraisal (such as commercial, farm or residential). It appears that the average cost of residential appraisals increased from approximately $150 before the effective date of the regulation to about $225 after the effective date. Bankers anticipated another $100 increase when the requirement for licensed and certified appraisers is in place. Similarly, bankers reported that on average the lapse of time between ordering and obtaining appraisals increased from approximately one week before the regulation's effective date to over two weeks currently. Banks anticipate the delay to increase to over three weeks in the future.

A few comment letters objected to basing any conclusing about the level of the threshold on the data provided in the comment letters. One letter argued that the data obtained would be unscientific because it was voluntarily provided and may not represent the experience of the banking system as a whole. The FDIC believes that the data provided in the comment letters is representative of the experience of the commercial banks and has generally confirmed the results shown by that data through experience gained during examinations.

Other financial entities also commented on losses on real estate loans. Citing $873 million in losses on 57,000 claims paid by its members in 1989, an association of mortgage insurance companies argued against increasing the threshold level in its comment letter and stated that the majority of the losses experienced by its members had occurred on properties valued less than $100,000. The association stated its belief that inadequately trained appraisers were the cause of a large part of their losses. Although the FDIC believes that the comments of the association of mortgage insurers is a basis of continuing to observe trends in losses on loan below the threshold level, there may be several reasons for loss experience of mortgage insurance companies. It could relate to the demographics of the mortgage insurer's portfolio, as well as their client base. Furthermore, if a majority of their portfolio of insured loans consists of transactions valued at $100,000 or less, then it would be a statistical necessity that the majority of their losses would occur in those transactions. It was also noted in a graph attached to the comment letter that the cumulative claim rate for loan amounts of $100,000 or greater is significantly higher than the claim rate for loan amounts less than $100,000. In addition, if the mortgage insurers are accepting loans originated by nonregulated institutions, those loans may not be underwritten to the same standards as those employed by banks.

Several letters from appraisers asserted that the $50,000 threshold should be retained as a means of protecting consumers from paying too much for their residences. Generally, bankers do not agree. They cite the cost and time delays associated with requiring the use of licensed and certified appraisers and conclude that the appraisal regulation hurts the consumer. In addition, the focus of title XI of FIRREA is to prevent losses to the deposit insurance funds resulting from faulty or fraudulent appraisals. While homebuyers may obtain an appraisal by a certified or licensed appraiser prior to purchasing a house, or request that a bank obtain an appraisal by a certified or licensed appraiser in connection with their purchase of a residence, the FDIC concludes that Congress did not intend to force homebuyers to bear the cost of obtaining an appraisal by a certified or licensed appraiser as a precondition to purchasing a home, or to confirm the purchaser's judgment with regard to entering into the transaction.

A large number of the comment letters from appraisers point out that approximately 50 percent of all home mortgages in the United States would be below the $100,000 threshold level given the current median price of housing in the United States. These letters suggest that because the services of a certified or licensed appraiser will not be required in connection with these loans, the losses attributable to these transactions will rise. As explained above, banks will be required to obtain an evaluation of the real estate which is the collateral for these loans as a matter of safe and sound banking practice. Evaluations for transactions which do not require an appraisal under the appraisal regulation must provide information that allows a bank to determine whether its participation in the transaction is consistent with the principles of safe and sound banking. For transactions below the threshold level, banks are expected to follow essentially the same practices they followed before adoption of title XI of FIRREA. Consequently, the FDIC does not expect an increase in losses for these transactions.

Another comment letter noted that the increased threshold would apply to real estate-related financial transactions involving commercial property as well as residential property. It argued that commercial properties require more complex analysis and, therefore, transactions involving these properties should require the services of an appraiser. The FDIC agrees that evaluations of commercial real estate can require more complex analyses than evaluations of 1-to-4 family residential properties. Furthermore, the regulation does not prohibit a bank from obtaining an appraisal when it determines one is needed to properly underwrite a transaction. However, as explained above, the losses sustained by banks on all loans of $100,000 or less when using the procedures and analyses in effect prior to enactment of title XI do not rise to a level which implicates federal financial and public policy interests.

In addition, some comment letters argued that title XI of FIRREA does not permit the cost of obtaining appraisals to be considered in determining whether the services of an appraiser are required for any class of real estate-related financial transactions. While title XI does not make cost or delay in obtaining appraisal services an explicit factor in determining whether the services of an appraiser are required to protect federal financial and public policy interests, these issues seem clearly relevant to all rulemaking. In this case, the primary complaint received from banks was that the cost and delay associated with obtaining appraisals that conform to the appraisal regulation were not justified by the risk of loss associated with these transactions. The FDIC cannot justify the imposition of additional costs or

other burdens where not required to meet the purposes of title XI or bank safety and soundness.

One comment letter argued that maintaining the status quo is not acceptable under title XI of FIRREA and that past loss experience is not a good gauge of future losses or acceptable losses. The FDIC agrees that title XI is intended to reduce losses to the depository institutions insurance funds through improved appraisal practices in connection with federally related transactions. Consequently, with regard to federally related transactions, the FDIC has required substantial changes in the appraisals which regulated institutions must obtain, including requirements that exceed the minimums established by title XI of FIRREA.

Comment letters from a number of banks made various proposals for higher threshold levels. For instance, one bank proposed a higher threshold for community banks, while several comment letters suggested that a higher threshold was appropriate for commercial transactions. Another letter proposed that communities with populations of 10,000 or less be exempted from the requirements of title XI of FIRREA and in one letter a bank argued in favor of increasing the threshold level for commercial loans, noting the high cost of appraisals for small business borrowers. While the FDIC has concluded, on the basis of the data provided in the comment letters, that the threshold level may be set at $100,000 and still ensure that federal financial and public policy interests are adequately protected, we do not believe that there is sufficient information to support the establishment of higher threshold levels. However, it is noted that as a result of the passage of the Federal Deposit Insurance Corporation Improvement Act of 1991, the Office of Management and Budget ("OMB") is conducting a study of *de minimis* thresholds for commercial real estate. We intend to evaluate the information provided in that study and determine whether any further changes in the threshold level are warranted for real estate-related financial transactions.

Several comment letters cited other policy considerations in support of retaining the $50,000 threshold level. State certification and licensing agencies provided comment letters in which they opposed the increase in the threshold level because of its impact on the revenues to be collected by their states from issuing certificates and licenses to appraisers. The comment letters expressed the writers' belief that fewer individuals will choose to become certified or licensed appraisers if the threshold level is set at $100,000. We note that a large number of all real estate-related financial transactions will require the services of a certified or licensed appraiser under our appraisal regulation even after the $100,000 threshold is adopted. This will include almost 50 percent of all residential real estate transactions and the vast majority of all commercial real estate transactions. Moreover, while the FDIC does not require the use of certified and licensed appraisers for transactions below the threshold level, we encourage the use of certified or licensed appraisers for all real estate-related financial transactions including transactions below the threshold level and we expect that in many cases lenders will voluntarily use them. Consequently, the FDIC does not believe the increase in the threshold level will significantly reduce the number of individuals who will apply to become state certified or licensed appraisers.

Several letters argued that it was important to have an appraiser provide an independent verification of the value of the real estate offered as collateral since the compensation of real estate agents and loan officers frequently depends on completion of the transaction and the amount involved. We agree that it is important for the individual who is providing an evaluation of real estate collateral to exercise independent judgment. Consequently, the FDIC intends to address this issue in guidelines to be published concerning evaluation procedures.

Several letters identified other benefits, such as identification of hazardous waste problems associated with the property, which appraisers would provide through their participation in the transaction. While we encourage banks to use certified or licensed appraisers for transactions below the threshold level, it is our conclusion that the ability of appraisers to offer these benefits is not a sufficient reason for requiring the services of an appraiser in connection with these transactions.

Finally, several letters from appraisers argued that increasing the threshold sends the wrong message regarding the need for professionalism in the appraisal industry and undermines the congressional purpose of improving appraisal services. The FDIC disagrees with this assertion and believes that just the opposite is true. Under the appraisal regulation, the services of a professional appraiser are required where the risk is greatest, where the problems of valuing the real estate involved are most complex, and where the appraiser's experience and training can help bankers arrive at a thorough understanding of the value of the real estate involved so that the banker can accurately analyze risks associated with underwriting those loans. By contrast, evaluations by competent individuals are permitted for transactions below $100,000, where the majority of the transactions involve residential real estate, and where the issues involved do not demand the level of training and experience required of a professional appraiser.

Exemption for Government Guaranteed Loans

The FDIC also is adopting the proposal to exempt any transaction involving a loan insured or guaranteed by an agency of the federal government from the requirement to obtain a second appraisal in accordance with the appraisal regulation, provided the loan is supported by a current appraisal that meets the standards of the federal agency providing the insurance or guarantee.

Approximately 125 comments were received regarding this amendment. Of these, approximately 100 were in favor of the change and 25 opposed. Several appraisal organizations and individual appraisers objected to exempting government guaranteed loans from the requirement to obtain a separate appraisal. Their comment letters generally argued that Congress wanted uniformity in appraisals and the qualifications of appraisers to protect federal financial and public policy interests. They further state that the FDIC lacked authority to delegate to another agency the determination of the content of the documentation of value for real estate collateral for transactions involving government guaranteed loans or the qualifications of the individuals who would provide the analysis of value. The FDIC does not agree with these assertions. Neither title XI of FIRREA nor the committee reports issued in connection with the legislation indicate that Congress intended the financial institutions regulatory agencies to impose their appraisal requirements on all other federal agencies. Instead, title XI of FIRREA requires the use of a state certified or licensed appraiser and adherence to specific appraisal requirements only when necessary to protect federal financial and public interests. For loans insured or guaranteed by an agency of the federal government, one of the principal concerns which prompted Congress to

enact title XI of FIRREA—the risk of loss to the deposit insurance funds—is minimized.

Moreover, all of these programs have been enacted to effectuate federal policy to favor lending to those who qualify for the insurance or guarantee program. Imposing bank appraisal requirements on these transactions may tend to frustrate the federal policies which underlie those programs. This is particularly true since additional appraisal requirements would add costs to participating in these programs and would not help to meet the principal objective which title XI of FIRREA was intended to achieve. In addition, some programs prohibit banks from charging for an appraisal which is not required by the insuring or guaranteeing agency with the result that some banks would not be able to afford to participate in the program. The FDIC concludes that Congress did not intend this result by enacting title XI of FIRREA and that the services of a second appraiser engaged by a regulated institituion to meet the requirements to protect the federal financial and public policy interests in transactions involving loans insured or guaranteed by agencies of the federal government. This conclusion is supported by the current regulations of the Office of Thrift Supervision ("OTS") which exempt government guaranteed and insured loans from the agency's appraisal regulations. *See* 12 CFR 545.32(b). It also eliminates a competitive disadvantage suffered by banks compared to non-regulated lenders and institutions regulated by the OTS.

The comment letters contain several additional arguments for continuing to require a second appraisal in accordance with the appraisal regulation for transactions involving government guaranteed or insured loans. For instance, a comment letter argued that the requirements for the Veterans Administration and Federal Housing Administration appraisals are less rigorous than those set out in the FDIC regulation and argued that the other standards should not be substituted for those required in the FDIC rule. However, for transactions involving government guaranteed or insured loans, the FDIC has determined that the services of a professional appraisal and imposition of the FDIC appraisal requirements through a second appraisal are not necessary to protest the federal government's financial and public policy interests in these transactions since it is the guarantor or insurer which bears the major share of losses. However, when a bank needs additional information in order to satisfy principles of safe and sound banking, the bank is not prevented from obtaining that information through a second appraisal.

FNMA AND FHLMC

Several banks commented that the FDIC also should exempt loans that are originated by banks to be sold into the secondary market through the Federal National Mortgage Association (FNMA) and the Federal Home Loan Mortgage Corporation (FHLMC). Title XI of FIRREA, provides that it is violation of section 1120 of FIRREA, 12 U.S.C. 3349, for FNMA or FHLMC to knowingly contract for the performance of any appraisal by a person who is not a state certified or licensed appraiser in connection with any real estate-related financial transaction as defined in section 1121(5) of FIRREA. Therefore, many of the arguments which support exempting loans directly guaranteed or insured by federal agencies apply to loans for 1-to-4 family residential properties which banks underwrite in accordance with FNMA and FHLMC standards. Thus, the minimum requirements of title XI of FIRREA would be met if the appraisals prepared in connection with those loans also meet the Uniform Standards of Professional Appraisal Practice ("USPAP") promulgated by the Appraisal Standards Board of the Appraisal Foundation and codified as appendix A of this part. Given the low levels of losses associated with loans for 1–to–4 family residential properties, the FDIC concludes that imposition of the additional appraisal standards set forth in § 323.4(a) (2)–(14) of this part are not necessary to ensure that these transactions are conducted in accordance with principles of safe and sound banking.

The OTS has reached a similar conclusion and currently does not require appraisals for loans involving 1-to-4 family residential properties and existing multi-family residential properties to comply with all of the appraisal standards set forth in their appraisal rule, provided the appraisals are prepared on forms approved by FNMA or FHLMC and in accordance with appraisal standards approved by those agencies. Based on the foregoing, the FDIC has amended 323.4 to allow regulated institutions to exempt appraisals of 1-to-4 family residential properties prepared in accordance with FNMA or FHLMC appraisal standards from the additional requirements in 323.4(a)(2)–(14). However, the FDIC has determined not to apply this exception to multifamily residential properties until it has had a further opportunity to review the impact of allowing regulated institutions to make loans on these properties without complying with all of the appraisal standards in 323.4.

Definition of Real Estate and Real Property

The third amendment in FDIC's September 17, 1991 proposal adds a definition of "real estate" and "real property" to the FDIC appraisal rule. Title XI of FIRREA does not define "real estate" or "real property" nor does the context in which these terms are used unambiguously suggest that the terms are intended to have different technical meanings. For instance, "real estate-related financial transaction" is defined as:

> Any transaction involving (A) the sale, lease, purchase, investment in or exchange of *real property*, including interests in property, or the financing thereof; (B) the refinancing of *real property* or interests in *real property*; and the use of *real property* or interests in *real property* as security for a loan or investment, including mortgage-backed securities.

FIRREA section 1121(5), 12 U.S.C. 3350 (emphasis supplied).

Title XI of FIRREA also directs the FDIC to issue regulations requiring "that real estate appraisals be performed in accordance with generally accepted appraisal standards promulgated by the Appraisal Standards Board of the Appraisal Foundation." The Appraisal Foundation's standards (USPAP) have separate definitions for real property ("the interest, benefits, and rights inherent in the ownership of real estate") and real estate ("an identified parcel or tract of land, including improvements, if any"). USPAP also recognizes that the terms are used interchangeably in some jurisdictions.

In its appraisal rule, the FDIC used "real property" and "real estate" interchangeably to mean interests in an identified parcel or tract of land and improvements. However, we did not intend these terms to include mineral rights, timber rights, or growing crops when considered separately from the parcel or tract of land, since valuation of such interests generally requires the services of a professional other than an appraiser. To clarify this distinction, the FDIC proposed to define "real property" and "real estate" for purposes of the appraisal regulation as "an identified parcel or tract of land, including easements, rights of way, undivided or future interests and similar rights in a tract of land, but excluding mineral rights, timber rights, or growing crops."

The FDIC received approximately 100 comment letters on this change to the appraisal regulation. Approximately 75 of the letters supported the amendment. Other comment letters either opposed the amendment or recommended changes to correct perceived problems with the original definition.

In many states, minerals, timber, and growing crops which have not been severed from the land are considered interests in real estate or real property. Consequently, if a bank customer pledges mineral rights as collateral for a loan in one of those states, a question arises whether the bank must obtain an appraisal of the parcel or tract of land to which the mineral rights are attached, but in which the bank has no interest, in order to satisfy the requirements of the appraisal regulation. The amendment was intended to clarify that banks are not required to obtain appraisals of the parcel of land to which mineral rights, timber rights or growing crops are attached, if the transaction only involves those mineral rights, timber rights or growing crops rather than the parcel or tract of land.

Where mineral rights, timber rights, or growing crops, *and* the associated parcel or tract of land, are the subject of a real estate-related financial transaction, then the services of an appraiser would be required in connection with that transaction unless one of the provisions in § 323.3(a) of this applied. In addition, the contribution of relevant mineral rights, timber rights, or growing crops should be included when appraising a parcel of land which possesses any of these features. However, valuation of these interests would not be required if they are not part of the transaction, or if they are not relevant to analyses which the appraiser needs to perform to arrive at an estimate of value for the parcel or tract of land. The definition adopted in the final rule has been changed to clarify that mineral rights, timber rights, growing crops, and other severable interests in a parcel or tract of land are excluded from the definition of real estate when the transaction involves only those interests.

A comment letter from a professional association of geologists favored adopting a definition of real estate and real property but proposed adding water rights and rights to other constituents of the earth which benefit or adversely affect mankind. The FDIC has adopted part of this suggestion by broadening the exclusion to cover water rights and similar interests which are severable from the land.

Finally, one comment letter suggested that the definition be modified to make it clear that improvements to the parcel or tract of land are considered part of the real estate or real property and must be included in the appraisal. The FDIC agrees that this change is needed and it is reflected in the final rule.

Other Comments

In addition to comments on the specific amendments to the regulation contained in the September 17, 1991 proposed rule, the FDIC received a number of comments on other provisions of the appraisal regulation. One comment letter suggested that the regulation needs a clearer statement of when an appraisal is required. The FDIC agrees that a technical amendment to § 323.3(a) would clarify that appraisals are required for all real estate-related financial transactions except those identified in that provision.

It was also called to our attention that a literal reading of the definition of "real estate-related financial transaction" in § 323.2 would cover a loan to finance the purchase of real estate even if it were unsecured or secured wholly by personal property and no lien on the real property is taken. We do not believe this was the intent of title XI of FIRREA and, accordingly, have added an exemption to the appraisal regulation covering loans not secured by real property. FDIC examiners will, however, be alert to any abuse of this exception by lenders who display a pattern of not taking a lien on real estate collateral merely for the sake of avoiding application of this regulation. Such a pattern of unsound credit underwriting will trigger appropriate supervisory corrective action.

Several comment letters also asked for clarifications and interpretations of the appraisal regulation which did not require amendment of the regulation. The FDIC, in conjunction with the other financial institutions regulatory agencies, intends to issue additional guidance on the appraisal regulation which will address many of these questions. The FDIC also will consider whether additional rulemaking is required to address any of these issues.

C. Regulatory Flexibility Act

Pursuant to section 605(b) of the Regulatory Flexibility Act, the FDIC certifies that these changes are not expected to have a significant economic impact on a substantial number of small entities.

Overall, the FDIC expects the changes to benefit consumers and regulated institutions regardless of size by reducing costs without substantially increasing the risk of loss for the banks arising from fraudulent or inaccurate evaluations or appraisals of real estate collateral. Accordingly, the changes should not substantially increase the risk of loss to the federal deposit insurance funds arising from the affected transactions.

D. Paperwork Reduction Act

The collection of information contained in this part 323 has been reviewed and approved by the Office of Management and Budget under control number 3064–0103 in accordance with the Paperwork Reduction Act of 1980 (44 U.S.C. 3504(h)) and the total burden hours have heretofor been estimated at 197,100 per year. Following the amendments now being adopted, the estimated average burden associated with the collection of information in this final rule is 21.2 hours per recordkeeper. The recordkeeping requirement associated with these changes to the FDIC's appraisal regulation will result in a reduction of 32,800 burden hours from the prior 197,100 burden hours per year.

Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be sent to the Assistant Executive Secretary (Administration), room F–400, Federal Deposit Insurance Corporation, Washington, DC 20429, with a copy to the Office of Management and Budget, Paperwork Reduction Project (3064–0103), Washington, DC 20503.

Total Burden: 7750 recordkeepers × 21.2 hours = 164,300 total burden hours.

List of Subjects in 12 CFR Part 323

Banks, banking, Mortgages, Real estate appraisal, Reporting and recordkeeping requirements.

Authority and Issuance

For the reasons set out in the preamble, Part 323 of subchapter B of chapter III of title 12 of the Code of Federal Regulations is proposed to be amended as follows:

PART 323—APPRAISALS

1. The authority citation for part 323 is revised to read as follows:

Authority: 12 U.S.C. 1818, 1819; 12 U.S.C. 3331 *et seq.*

2. In § 323.2, existing paragraphs (g) through (k) are redesignated as paragraphs (h) through (l) and a new paragraph (g) is added to read as follows:

§ 323.3 Definitions.

* * * * *

(g) *Real estate* or *real property* means an identified parcel or tract of land, with improvements, and includes easements, rights of way, undivided or future interests and similar rights in a tract of land, but does not include mineral

rights, timber rights, growing crops, water rights and similar interests severable from the land when the transaction does not involve the associated parcel or tract of land.

* * * * *

3. In § 323.3, the introductory text of paragraph (a) and paragraphs (a)(1) and (4)(iv) are revised; paragraph (a)(5) is amended by removing the period at the end of the paragraph and replacing it with a semicolon; and new paragraphs (a)(6), (a)(7) and (d) are added to read as follows:

§ 323.3 Appraisal not required; transactions requiring a State certified or licensed appraiser.

(a) *Appraisal not required.* While supervisory guidelines, general banking practices or other prudent standards may also require an appropriate evaluation of real property collateral, an appraisal performed in accordance with this part is required for any real estate-related financial transaction other than one in which:

(1) The transaction value is $100,000 or less;

* * * * *

(4) * * *

(iv) There has been no obvious and material deterioration in market conditions or physical aspects of the property which would threaten the institution's collateral protection;

* * * * *

(6) A regulated institution makes or purchases a loan secured by real estate, which loan is insured or guaranteed by an agency of the United States government, provided the transaction is supported by an appraisal that conforms to the appraisal rules or other written appraisal requirements of the federal agency providing the insurance or guarantee; or

(7) A regulated institution makes or purchases a loan that is not secured by real property or any interest therein.

* * * * *

(d) *Effective date.* Regulated institutions are required to use state certified or licensed appraisers as set forth in paragraphs (b) and (c) of this section no later than December 31, 1992, unless otherwise required by law.

4. In § 323.4, existing paragraphs (b) and (c) are redesignated as paragraphs (c) and (d), and a new paragraph (b) is added to read as follows:

§ 323.4 Appraisal standards.

* * * * *

(b) *Exception for certain appraisals of 1-to-4 family residential properties.* Appraisals for federally related transactions involving 1-to-4 family residential properties need not comply with the standards set forth in § 323.4(a)(2) through (a)(14), provided the appraisal complies with § 323.4(a)(1) and conforms to the standards approved by the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation.

* * * * *

By order of the Board of Directors.

Dated at Washington, DC this 10th day of March 1992.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[FR Doc. 92-5997 Filed 3-13-92; 8:45 am]

BILLING CODE 6714-01-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 602

[T.D. 8335]

RIN 1545-AO88

OMB Control Numbers Under the Paperwork Reduction Act; Correction

AGENCY: Internal Revenue Service, Treasury.

ACTION: Correcting amendments.

SUMMARY: This document contains corrections to the technical amendments to § 602.101(c) published as T.D. 8335 on Monday, March 4, 1991 (56 FR 8912). This regulation collects and displays the control numbers assigned to regulations by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1980 and the Paperwork Reduction Reauthorization Act of 1986, which require that agencies display control numbers assigned by that Office to regulations that solicit or obtain information from the public.

EFFECTIVE DATE: March 4, 1991.

FOR FURTHER INFORMATION CONTACT: Dale Goode at 202-566-3935.

SUPPLEMENTARY INFORMATION:

Background

The technical amendments to § 602.101(c) that are the subject of these corrections comply with the requirements of §§ 1320.7(f), 1320.12 and 1320.15 of 5 CFR part 1320 (OMB regulations implementing the Paperwork Reduction Act and amendments thereto by the Paperwork Reduction Reauthorization Act of 1986), for display of control numbers assigned by OMB to collections of information in Internal Revenue Service regulations.

Need for Correction

As published, the technical amendments contain errors which may prove to be misleading and are in need of clarification.

List of Subjects in 26 CFR Part 602

Reporting and recordkeeping requirements.

Adoption of Amendments to the Regulations

Accordingly, 26 CFR, part 602, is corrected as follows:

PART 602—OMB CONTROL NUMBERS UNDER THE PAPERWORK REDUCTION ACT

Paragraph 1. The authority for part 602 continues to read as follows:

Authority: 26 U.S.C. 7805.

§ 602.101 [Corrected]

Par. 2. § 602.101(c) is corrected by removing entries from the table as indicated in the following list:

CFR part or section where identified and described	Current OMB control No.
1.44C	1545-0214
1.44F-5	1545-0732
1.44F-5	1545-0732
1.44F-6	1545-0732
1.52-4	1545-0074
1.62-1	1545-0139
1.64	1545-0074
1.105-7	1545-0074
1.105-8	1545-0074
1.105-9	1545-0074
1.105-10	1545-0074
1.117-6	1545-0008
1.131-1	1545-0914
1.143(a)(5)	1545-0720
1.149-1	1545-0945
1.162-24	1545-0074
1.167(e)-2	1545-0172
1.168(d)-4	1545-1146
1.168(h)-2	1545-0923
1.168-1	1545-0172
1.168-2	1545-0172
1.168-3	1545-0172
1.168-4	1545-0172
1.168-6	1545-0172
1.170A-13T	1545-0908
1.172-11	1545-0074
1.216-1(d)(2)	1545-1041
1.217	1545-0062
1.254-1	1545-0074
1.267-1T	1545-0885
1.280A-3	1545-0074
1.337-1T	1545-0702
1.338(h)-1T	1545-0702
1.370-2	1545-0074
1.381-2	1545-0123
1.401(a)-11T	1545-0928
1.401(m)-1	1545-1039
1.402(e)(2)	1545-0193
1.402(e)(3)	1545-0193
1.402(e)(14)	1545-0193
1.402(e)-12	1545-0119
1.402(e)-13	1545-0119
1.402(e)-14	1545-0119
1.402(f)-1T	1545-0928
1.403(b)-2	1545-0996
1.403-1(h)	1545-0710

CFR part or section where identified and described	Current OMB control No.
1.408–8	1545–0203
1.441–1	1545–0123
1.441–2	1545–0123
1.445–6	1545–0123
1.446	1545–0736
1.448–1	1545–0152
1.448–2	1545–0152
1.451	1545–0736
1.458–1	1545–0879
1.461–3	1545–0096
1.461–4	1545–0096
1.465–1T thru 95	1545–0712
1.468A–3T	1545–0954
1.468A–4T	1545–0954
1.468A–6T	1545–0954
1.468A–7T	1545–0954
1.468A–8T	1545–0954
1.469–2	1545–0985
1.471	1545–0736
1.485–1	1545–0152
1.565–1T	1545–0043
1.565–2T	1545–0043
1.565–3T	1545–0043
1.565–5T	1545–0043
1.565–6T	1545–0043
1.642(e)–2	1545–0092
1.661–1	1545–0123
1.811–8	1545–0126
1.820	1545–0128
1.832–4	1545–0123
1.845–7	1545–0123
1.854–4	1545–0123
1.859–2	1545–0045
	1545–0123
1.859–4	1545–0123
1.860D–1	1545–1018
1.860F–4	1545–1018
1.861–9	1545–0126
1.861–12	1545–1072
1.892–1	1545–0126
1.904(f)–8	1545–1127
1.904(f)–9	1545–1127
1.904(f)–10	1545–1127
1.904(f)–11	1545–1127
1.905–3	1545–0122
1.905–4	1545–0122
1.913–1	1545–0067
1.913–2	1545–0067
1.913–3	1545–0067
1.913–4	1545–0067
1.913–5	1545–0067
1.913–6	1545–0067
1.913–7	1545–0067
1.913–8	1545–0067
1.913–9	1545–0067
1.913–10	1545–0067
1.913–11	1545–0067
1.913–12	1545–0067
1.913–12	1545–0067
1.921–2T	1545–0884
1.922–1T	1545–0884
1.924	1545–0904
1.924(d)–1T	1545–0904
1.927(f)–1T	1545–0884
1.927(f)–3	1545–0884
1.952–7T	1545–1142
1.953–2T	1545–1142
1.953–4T	1545–1142
1.953–5T	1545–1142
1.953–6T	1545–1142
1.954–1	1545–0123
	1545–0755
1.985–2T	1545–1051
1.995(f)–1	1545–0939
1.1058–1	1545–0770
1.1205–1	1545–0184
1.1205–2	1545–0184
1.1205–3	1545–0184
1.1205–4	1545–0184
1.1205–5	1545–0184
1.1221–4	1545–0096
1.1254–1	1545–0074
	1545–0184
1.1254–2	1545–0184
1.1254–3	1545–0074
	1545–0184
1.1254–4	1545–0184
1.1254–5	1545–0184
1.1271–3	1545–0887
1.1274–1	1545–0887
1.1274–2	1545–0887
1.1274–3	1545–0887
1.1274–4	1545–0887
1.1274–5	1545–0887
1.1274–6	1545–0887
1.1274A–1	1545–0887
1.1275–2	1545–0887
1.1275–3	1545–0887
	1545–1018
1.1279–6	1545–0123
1.1287–1T	1545–0786
1.1361–1A	1545–0731
1.1362–3	1545–0146
1.1362–4	1545–0146
1.1362–5	1545–0146
1.1362–6	1545–0146
1.1362–7	1545–0146
1.1368–1	1545–1139
1.1368–2	1545–1139
1.1372–2	1545–0146
1.1372–3	1545–0146
1.1372–4	1545–0146
1.1373–1	1545–0130
1.1374–1	1545–0130
1.1375–1	1545–0130
1.1375–4	1545–0130
1.1375–6	1545–0130
1.1402(e)	1545–0168
1.1402(e)–5T	1545–0168
1.1442–4	1545–0096
1.1445–1T	1545–0902
1.1445–2T	1545–0902
1.1445–3T	1545–0902
1.1445–4T	1545–0902
1.1445–5T	1545–0902
1.1445–6T	1545–0902
1.1445–7T	1545–0902
1.1465–1	1545–0795
1.1502–29T	1545–1160
1.4441–3	1545–0089
1.6012(a)(7)	1545–0092
1.6012–0	1545–0067
1.6041	1545–0008
1.6041A–1	1545–0115
1.6045(T)(f)	1545–0115
1.6046–1T	1545–1142
1.6049–7	1545–1018
1.6049–8	1545–1050
1.6050K–1T	1545–0941
1.6050L	1545–0908
1.6050L–1T	1545–0908
1.6050–1	1545–0123
	1545–0597
1.6056–1	1545–0052
1.6081–4T	1545–0148
1.6083–3T	1545–0148
1.6262–1	1545–0087
1.6302–3	1545–0971
1.6655–8T	1545–0123
1.6661	1545–0889
1.7872–5	1545–0913
1.7872–6	1545–0913
1.7872–11	1545–0913
5.44B–1	1545–0219
5.51–1	1545–0219
5f.338–1	1545–0702
5f.338–2	1545–0702
5f.338–3	1545–0702
7.367(a)–1	1545–0126
11.401	1545–0197
11.402	1545–0193
13.16–1	1545–0123
18.1–7	1545–0074
18.1271–1	1545–0130
27.1–1	1545–0020
31.3121(a)(2)–2	1545–0008
31.3121(b)(3)–1	1545–0034
31.3231(e)–2	1545–0008
31.3401(a)(8)(A)–2	1545–0029
31.3402(h)–1	1545–0010
31.3406(b)2–3	1545–0112
31.3406(c)–1	1545–0112
31.3406(d)–1	1545–0112
31.3406(d)–4	1545–0112
31.3406(g)–3	1545–0112
31.3406(h)–2	1545–0112
31.3406(h)–3	1545–0012
31.3508–1	1545–0115
31.6015–3	1545–0008
31.6051	1545–0008
31.6051–4	1545–0112
31.6071(a)–1T	1545–0955
31.6301(c)–1AT	1545–0257
31.6301(c)–2AT	1545–0257
31.6302(c)–2AT	1545–0257
31.6302(c)–5	1545–0257
31.6413(a)–3	1545–0112
35.3405	1545–0415
	1545–0119
35.6053–1	1545–0714
36.3121(1)(3)(b)	1545–0123
36.3121(1)(1)–4	1545–0137
36.3121(2)(3)	1545–0123
41.4483–2T	1545–0143
41.4483–3T	1545–0143
41.6001–3T	1545–0143
45.4906–1	1545–0236
45.6001–1	1545–0236
46.6001–4	1545–0023
46.6302	1545–0257
47.4341–1	1545–0123
47.4345–1	1545–0123
47.6001–1	1545–0123
47.6001–2	1545–0123
48.0–1	1545–0723
48.401–5T	1545–0725
48.4042–12	1545–0023
48.4081–18	1545–0023
48.4091–1T	1545–1074
48.4253–3	1545–0023
48.4984–1	1545–0725
48.6011	1545–0029
	1545–1076
48.6416(b)–1	1545–0023
48.6416(b)–2	1545–0023
48.6416(b)–3	1545–0023
48.6416(b)–4	1545–0023
48.6416(b)–5	1545–0023
48.6420(f)–1	1545–0023
48.6420–0	1545–0723
48.6421(c)–1	1545–0024
48.6424–7	1545–0723
48.6427–1T	1545–0143
48.6427–2T	1545–0143
48.9091–0	1545–0725
48.9091–1	1545–0725
48.9091–2	1545–0725
48.9091–3	1545–0725
48.9091–4	1545–0725
48.9091–5	1545–0725
49.4243–11	1545–0029
49.4261	1545–0023
51.4996–5	1545–0964
51.6232	1545–0224
52.6011	1545–0023
52.6011(a)–1	1545–0023
52.6011(a)–2	1545–0023
53.4972–1	1545–0575
54.4979–1	1545–1039
56.4911	1545–0052

CFR part or section where identified and described	Current OMB control No.
57.6011(a)–2	1545–0023
57.6302(c)–1	1545–0023
	1545–0257
103.25	1545–0183
138.1–2	1545–0023
138.1–6	1545–0123
138.4064–1	1545–0242
142.1	1545–0023
145.1–1	1545–0745
145.1–2	1545–0745
145.1–3	1545–0745
145.1–6	1545–0745
145.1–7	1545–0745
145.4–1	1545–0023
145.5–4	1545–0143
154.1–1	1545–0014
	1545–0678
154.2–1	1545–0257
	1545–0685
154.3–1	1545–0023
301.6104–1	1545–0817
301.6104–2	1545–0817
301.6104–3	1545–0817
301.6104–4	1545–0817
301.6114–1T	1545–1126
301.6231	1545–0099
	1545–0790
301.6231–1T	1545–0790
301.6404–2	1545–0024
301.6404–3T	1545–0024
301.6501(b)	1545–0074
301.6501(c)	1545–0074
301.6511	1545–0024
301.7501–7	1545–0123
301.7701(b)–8	1545–0089
304.6402–1	1545–0823

Par. 3. Section 602.101(c) is corrected by adding the following entries in the table to read as follows:

CFR part or section where identified and described	Current OMB control No.
1.41–8(d)	1545–0732
1.465–1T	1545–0712

Dale D. Goode,

Federal Register Liaison Officer, Assistant Chief Counsel (Corporate).

[FR Doc. 92–5998 Filed 3–13–92; 8:45 am]

BILLING CODE 4830–01–M

Office of Foreign Assets Control

31 CFR Part 500

Foreign Assets Control Regulations

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Final rule; amendment.

SUMMARY: The Office of Foreign Assets Control is amending the Foreign Assets Control Regulations by the addition of § 500.612, providing for the registration of claims by U.S. nationals against Cambodia. The amendments impose a requirement that reports be filed under § 500.612 with respect to all outstanding claims held by U.S. nationals against the Government of Cambodia or a Cambodian government entity as of 5 p.m. EST, April 30, 1992. The reports are needed to obtain information, on a one-time basis, regarding claims by U.S. nationals against Cambodia, for planning and administrative purposes in contemplation of future claims settlement negotiations. The authorization number assigned by the Office of Management and Budget to the information collection requirements is also included.

EFFECTIVE DATE: March 16, 1992.

FOR FURTHER INFORMATION CONTACT: Loren L. Dohm, Chief, Blocked Assets Division, Tel. : 202/535–4026, or William B. Hoffman, Chief Counsel, Tel.: 202/535–6020, Office of Foreign Assets Control, Department of the Treasury, Washington, DC 20220.

SUPPLEMENTARY INFORMATION: The Foreign Assets Control Regulations, 31 CFR part 500 ("the Regulations"), were amended to authorize prospectively all new transactions by persons subject to U.S. jurisdiction involving property in which Cambodian or a national thereof has an interest. Property of the Government of Cambodia or Cambodian nationals that was blocked as of January 2, 1992, however, continues to be blocked, despite the lifting of the Cambodian embargo on January 3, 1992. 31 CFR 500.570, 57 FR 1872 (Jan. 16, 1992). New § 500.612 requires U.S. nationals having claims outstanding against the Government of Cambodia or any Cambodian government entity to report their claims by letter, including the information required by paragraph (f) of that section, by April 30, 1992. Observance of the filing deadline is extremely important. The reports are needed to obtain information, on a one-time basis, regarding claims by U.S. nationals against Cambodia, for planning and administrative purposes in contemplation of future claims settlement negotiations. For naturalized U.S. citizens, only claims arising after becoming a U.S. citizen should be reported. Similarly, an entity must have been organized under the laws of a U.S. jurisdiction at the time of loss to have a reportable claim.

The submission of a report of a claim against the Government of Cambodia does not constitute the filing with the United States Government of a formal claim for compensation. No formal claims adjudication program currently exists. However, failure to file a complete report with respect to claims in a timely fashion not only would constitute failure to comply with the Regulations, but would also prevent the inclusion of the information in U.S. Government planning and may therefore be prejudicial to the interests of the claimant and other U.S. claimants. Espousal of claims of U.S. nationals against a foreign government is within the discretion of the United States Government.

Because the Regulations involve a foreign affairs function, Executive Order 12291 and the provisions of the Administrative Procedure Act, 5 U.S.C. 553, requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date, are inapplicable. Because no notice of proposed rulemaking is required for this rule, the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, does not apply.

This final rule is being issued without prior notice and public procedure pursuant to the Administrative Procedure Act (5 U.S.C. 553). For this reason, the collection of information contained herein has been reviewed and, pending receipt and evaluation of public comments, approved by the Office of Management and Budget under control number 1505–0131. Comments concerning the average annual burden and suggestions for reducing this burden should be directed to the Office of Management and Budget, Paperwork Reduction Project, Washington, DC 20503, with copies to the Office of Foreign Assets Control, Department of the Treasury, 1500 Pennsylvania Avenue NW.—Annex, Washington, DC 20220. Any such comments should be submitted not later than 60 days from publication.

The collection of information in the Regulations is contained in § 500.612. This information is required by the Office of Foreign Assets Control for planning and administrative purposes in contemplation of future claims settlement negotiations. The likely respondents and recordkeepers are individuals and business organizations.

Estimated total annual reporting and/or recordkeeping burden: 60 hours.

The estimated annual burden per respondent/recordkeeper varies from 1 hour to 3 hours, depending on individual circumstances, with an estimated average of 2 hours.

Estimated number of respondents and/or recordkeepers: 30.

Estimated annual frequency of responses: 1.

List of Subjects in 31 CFR Part 500

Cambodia, Foreign claims, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 31 CFR part 500 is amended as follows:

PART 500—FOREIGN ASSETS CONTROL REGULATIONS

1. The authority citation for part 500 continues to read as follows:

Authority: 50 U.S.C. App. 5, as amended; E.O. 9193, 7 FR 5205, 3 CFR 1938–1943 Cum. Supp., p. 1174; E.O. 9989, 13 FR 4891, 3 CFR 1943–1948 Comp., p. 748.

Subpart F—Reports

§ 500.90 [Revised]

2. Section 500.901 is revised to add the following sentence to the end thereto: "The information collection requirement in § 500.612 has been approved by the Office of Management and Budget and assigned control number 1505–0131."

3. Section 500.612 is addded to subpart F to read as follows:

§ 500.612 Registration of claims by U.S. nationals against Cambodia.

(a) *Requirement for reports.* Reports are required to be filed on or before April 30, 1992, in the manner prescribed in this section, with respect to all outstanding claims held by U.S. nationals against the Government of Cambodia or a Cambodian government entity.

(b) *Who must report.* A report must be submitted by each U.S. national having a claim outstanding against the Government of Cambodia or any Cambodian government entity. Reports should be submitted only by persons who were U.S. citizens or entities organized under the laws of a U.S. jurisdiction on the date of the loss.

(c) *How to register.* U.S. nationals filing reports of claims must submit a letter containing the information required by paragraph (f) of this section. The letter must be sent to the Blocked Assets Division, Office of Foreign Assets Control, Department of the Treasury, Washington, DC 20220 to arrive by April 30, 1992. A copy of the submission should be kept by the claimant.

(d) *Certification.* Every report shall bear the signature of the claimant or a person authorized by the claimant to sign the report. The signature will certify that to the best of the reporter's knowledge, the statements set forth in the report, including any papers attached to or filed with the report, are true and accurate, and that all material facts in connection with the report have been set forth.

(e) *Confidentiality of reports.* Reports submitted pursuant to this section are regarded as privileged and confidential.

(f) *Contents of report.* The report must contain the following information (with responses numbered to correspond with the numbers used below):

(1) Identification of claimant.

(i) Claimant's Legal Name.

(ii) Claimant's Address.

(iii) Telephone number of individual to contact regarding the report.

(iv) If claimant is a naturalized citizen of the United States, state the place and date of naturalization.

(v) If claimant is a corporation or business, state the place of incorporation and principal place of business.

(2) Information concerning claim.

(i) Amount of loss in U.S. dollars (indicate exchange or interest rates and relevant dates utilized for any currency translation or interest calculation).

(ii) Describe the circumstances of the loss. Include the date of the loss and description of the property, business, obligation, injury or other damage which is the subject of the claim.

Dated: February 14, 1992.

R. Richard Newcomb,

Director, Office of Foreign Assets Control.

Approved: February 25, 1992.

Peter K. Nunez,

Assistant Secretary (Enforcement).

[FR Doc. 92–6076 Filed 3–11–92; 3:11 pm]

BILLING CODE 4810–25–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 147

[CGD11–92–02]

Safety Zone: Platform Irene, Pacific Ocean, Southern California

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: This rulemaking establishes a 500 meter safety zone around Platform Irene, similar to the safety zones around other platforms off the Southern California coast. The safety zone will be indicated on navigational charts which will make the fixed structure more readily apparent to the mariner. The establishment of a safety zone around an offshore structure is one method recommended by the International Maritime Organization (IMO) to resolve the conflict between oil and gas activities and vessel navigation. The overall impact of this regulation will be to promote the safety of lives and property on Platform Irene, its appurtenances and attending vessels or adjacent waters.

DATES: This regulation becomes effective on March 16, 1992. Comments on this regulation must be received on or before April 15, 1992.

ADDRESSES: Comments should be mailed to Commander (mps), Eleventh Coast Guard District, Union Bank Building, 400 Oceangate, Long Beach, CA 90822–5399. The comments will be available for inspection and copying at the Marine Safety Division, Eleventh Coast Guard District, room 709, 400 Oceangate, Long Beach, CA 90822–5399. Normal office hours are between 7:30 a.m. and 4 p.m., Monday through Friday, except holidays. Comments may also be hand-delivered to this address.

FOR FURTHER INFORMATION CONTACT: Ensign L.H. Akana, Marine Safety Division, Eleventh Coast Guard District, 400 Oceangate, Long Beach, CA 90822–5399. Phone number: (310) 499–5334.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a Notice of Proposed Rulemaking was not published for this regulation and good cause exists for making it effective in less than 30 days from the date of publication. Following normal rulemaking procedures would have been contrary to the public interest. Immediate action is needed to prevent loss of life and damage to Platform Irene by vessels transiting the area. Although this regulation is published as a final rule without prior notice, an opportunity for public comment is nevertheless desirable to ensure that the regulation is both reasonable and workable. Accordingly, persons wishing to comment may do so by submitting written comments to the office listed under **ADDRESSES** in this preamble. Commenters should include their names and addresses, identify the docket number for the regulations, and give reasons for their comments. Based upon comments received, the regulations may be changed.

Drafting Information

The drafters of this notice are Ensign L.H. Akana, project officer, and J.J. Jaskot, project attorney, Eleventh Coast Guard District Legal Office.

Discussion of Regulation

This final rule amends part 147 to reflect the addition of a new structure, Platform Irene, off the Southern California coast. The regulation contains a description of the area of the safety zone, including the location of the center of the structure and information pertinent to its safety zone. The regulation restricts the entry of vessels into the safety zone, except for

attending vessels, vessels under 100 feet in length overall not engaged in towing, or vessels authorized by the Commander, Eleventh Coast Guard District.

Economic Assessment and Certification

This regulation is considered to be non-major under Executive Order 12291 and nonsignificant under Department of Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979). The economic impact has been found to be so minimal that a full regulatory evaluation is unnecessary. The Coast Guard certifies that this regulation will not have a significant economic impact on a substantial number of small entities.

Federalism Assessment

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that this rulemaking does not raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Assessment

The Coast Guard has considered the environmental impact of this regulation and concluded that under section 2.B.2.c of Commandant Instruction M16475.1B, it will have no significant environmental impact and it is categorically excluded from further environmental documentation.

Paperwork Reduction Act

This rule contains no information collection or recordkeeping requirements.

List of Subjects in 33 CFR Part 147

Outer Continental Shelf, Marine Safety, Navigation (water).

Final Regulation

In consideration of the foregoing, part 147 of title 33, Code of Federal Regulations, is amended as follows:

1. The authority citation for part 147 continues to read as follows:

Authority: 14 U.S.C. 85; 33 U.S.C. 2071; and 49 CFR 1.46.

2. Section 147.1116 is added to read as follows:

§ 147.1116 Platform IRENE safety zone.

(a) Description: The area within a line 500 meters from each point on the structure's outer edge. The position of the center of the structure is 34°–36'–37.5"N, 120°–43'–46"W.

(b) Regulation: No vessel may enter or remain in this safety zone except the following: (1) An attending vessel; (2) a vessel under 100 feet in length overall not engaged in towing; or (3) a vessel authorized by the Commander, Eleventh Coast Guard District.

Dated: January 21, 1992.

M. E. Gilbert,

Rear Admiral,

U. S. Coast Guard, Commander, Eleventh Coast Guard District.

[FR Doc. 92–6046 Filed 3–13–92; 8:45 am]

BILLING CODE 4910–14–M

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33 CFR Part 147

[CGD11–92–01]

Safety Zones: Platforms Harmony and Heritage, Pacific Ocean, Southern California

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: This rulemaking establishes 500 meter safety zones around Platforms Harmony and Heritage, similar to the safety zones around other platforms off the Southern California coast. The safety zones will be indicated on navigational charts which will make the fixed structures more readily apparent to the mariner. The establishment of a safety zone around an offshore structure is one method recommended by the International Maritime Organization (IMO) to resolve the conflict between oil and gas activities and vessel navigation. The overall impact of these regulations will be to promote the safety of lives and property on Platforms Harmony and Heritage, their appurtenances and attending vessels or adjacent waters.

DATES: This regulation becomes effective on March 16, 1992. Comments on this regulation must be received on or before April 15, 1992.

ADDRESSES: Comments should be mailed to Commander (mps), Eleventh Coast Guard District, Union Bank Building, 400 Oceangate, Long Beach, CA 90822–5399. The comments will be available for inspection and copying at the Marine Safety Division, Eleventh Coast Guard District, room 709, 400 Oceangate, Long Beach, CA 90822–5399. Normal office hours are between 7:30 a.m. and 4 p.m., Monday through Friday, except holidays. Comments may also be hand-delivered to this address.

FOR FURTHER INFORMATION CONTACT: Ensign L.H. Akana, Marine Safety Division, Eleventh Coast Guard District, 400 Oceangate, Long Beach, CA 90822–5399. Phone number: (310) 499–5334.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a Notice of Proposed Rulemaking was not published for this regulation and good cause exists for making it effective in less than 30 days from the date of publication. Following normal rulemaking procedures would have been contrary to the public interest. Immediate action is needed to prevent loss of life and damage to Platforms Harmony and Heritage by vessels transiting the area. Although this regulation is published as a final rule without prior notice, an opportunity for public comment is nevertheless desirable to ensure that the regulation is both reasonable and workable. Accordingly, persons wishing to comment may do so by submitting written comments to the office listed under **ADDRESSES** in this preamble. Commenters should include their names and addresses, identify the docket number for the regulations, and give reasons for their comments. Based upon comments received, the regulations may be changed.

Drafting Information

The drafters of this notice are Ensign L.H. Akana, project officer, and Commander J.J. Jaskot, project attorney, Eleventh Coast Guard District Legal Office.

Discussion of Regulation

This final rule amends part 147 to reflect the addition of two new structures, Platforms Harmony and Heritage, off the Southern California coast. The regulations contain descriptions of the areas of the safety zones, including the location of the center of the structure and information pertinent to each structure's safety zone. The regulations restrict the entry of vessels into the safety zone, except for attending vessels, vessels under 100 feet in length overall not engaged in towing, or vessels authorized by the Commander, Eleventh Coast Guard District.

Economic Assessment and Certification

This regulation is considered to be non-major under Executive Order 12291 and nonsignificant under Department of Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979). The economic impact has been found to be so minimal that a full regulatory evaluation is unnecessary. The Coast Guard certifies that this regulation will not have a significant economic impact on a substantial number of small entities.

Federalism Assessment

This action has been analyzed in accordance with the principles and

criteria contained in Executive Order 12612, and it has been determined that this rulemaking does not raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Assessment

The Coast Guard has considered the environmental impact of this regulation and concluded that under section 2.B.2.c of Commandant Instruction M16475.1B, it will have no significant environmental impact and it is categorically excluded from further environmental documentation.

Paperwork Reduction Act

This rule contains no information collection or recordkeeping requirements.

List of Subjects in 33 CFR Part 147

Outer Continental Shelf, Marine safety, Navigation (water).

Final Regulation

In consideration of the foregoing, part 147 of title 33, Code of Federal Regulations, is amended as follows:

PART 147—[AMENDED]

1. The authority citation for part 147 continues to read as follows:

Authority: 14 U.S.C. 85; 33 U.S.C. 2071; and 49 CFR 1.46.

2. Sections 147.1114 and 147.1115 are added to read as follows:

§ 147.1114 Platform HARMONY safety zone.

(a) Description: The area within a line 500 meters from each point on the structure's outer edge. The position of the center of the structure is 34°–22′–36″N, 120°–10′–03″W.

(b) Regulation: No vessel may enter or remain in this safety zone except the following: (1) an attending vessel; (2) a vessel under 100 feet in length overall not engaged in towing; or (3) a vessel authorized by the Commander, Eleventh Coast Guard District.

§ 147.1115 Platform HERITAGE safety zone.

(a) Description: The area within a line 500 meters from each point on the structure's outer edge. The position of the center of the structure is 34°–21′–01″N, 120°–16′–45″W.

(b) Regulation: No vessel may enter or remain in this safety zone except the following: (1) An attending vessel; (2) a vessel under 100 feet in length overall not engaged in towing; or (3) a vessel authorized by the Commander, Eleventh Coast Guard District.

Dated: January 21, 1992.

M. E. Gilbert,

Rear Admiral, U.S. Coast Guard Commander, Eleventh Coast Guard District.

[FR Doc. 92–6044 Filed 3–13–92; 8:45 am]

BILLING CODE 4910–14–M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 65

[Docket Number FEMA–7041]

Changes in Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency.

ACTION: Interim rule.

SUMMARY: This rule lists communities where modification of the base (100-year) flood elevations is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified base (100-year) elevations for new buildings and their contents and for second layer coverage on existing buildings and their contents.

DATES: These modified base flood elevations are currently in effect and revise the Flood Insurance Rate Map(s) (FIRMs) in effect prior to this determination for each listed community.

From the date of the second publication of these changes in a newspaper of local circulation, any person has ninety (90) days in which he can request through the community that the Administrator reconsider the changes. The modified elevations may be changed during the 90-day period.

ADDRESSES: The modified base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the following table.

FOR FURTHER INFORMATION CONTACT: Mr. William R. Locke, Chief, Risk Studies Division, Federal Insurance Administration, Federal Emergency Management Agency, Washington, DC 20472 (202) 646–2754.

SUPPLEMENTARY INFORMATION: Numerous changes made in the base (100-year) flood elevations on the FIRMs for each community make it administratively infeasible to publish, in this notice, all of the changes contained on the maps. However, this rule includes the address of the Chief Executive Officer of the community, where the modified base flood elevation determinations are made available for inspection.

Any request for reconsideration must be based upon knowledge of changed conditions, or upon new scientific or technical data.

The modifications are made pursuant to section 206 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234) and are in accordance with the National Flood Insurance Act of 1968, as amended, (title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 44 CFR 65.4.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified base (100-year) flood elevations are the basis for the floodplain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program.

These modified elevations, together with the floodplain management measures required by 60.3 of the program regulations, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, state or regional entities.

The changes in base flood elevations are in accordance with 44 CFR 65.4.

Pursuant to the provisions of 5 U.S.C. 605(b), the Administrator, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule, if promulgated, will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical revisions made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 65

Flood insurance, floodplains.

PART 65—[AMENDED]

1. The authority citation for part 65 continues to read as follows:

Authority: 42 U.S.C. 4001 et seq., Reorganization Plan No. 3 of 1978, E.O. 12127.

§ 65.4 [Amended]

2. Section 65.4 is amended by adding, in alphabetic sequence, new entries to the table.

State, county, and location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Alaska: Anchorage Division, municipality of Anchorage.	Feb. 21, 1992 and Feb. 28, 1992, *Anchorage Daily News.*	The Honorable Tom Fink, Mayor, Municipality of Anchorage, P.O. Box 196650, Anchorage, Alaska 99519.	Jan. 31, 1992	020005
Arizona: Pima, city of Tucson	Jan. 31, 1992 and Feb. 7, 1992, *Arizona Daily Star.*	The Honorable George Miller, Mayor, City of Tucson, P.O. Box 27210, Tucson, Arizona 85726-7210.	Jan. 27, 1992	040076
California: Ventura, unincorporated areas.	Jan. 24, 1992 and Jan. 31, 1992, *Star Free Press.*	The Honorable Maggie Erickson Kildee, Chairperson, Ventura County Board of Supervisors, 800 South Victoria Avenue, Ventura, California 93009.	Jan. 21, 1992	060413
Colorado: Adams and Arapahoe, city of Aurora.	Jan. 8, 1992 and Jan. 15, 1992, *Aurora Sentinel.*	The Honorable Paul E. Tauer, Mayor, City of Aurora, 1470 South Havana Street, Aurora, Colorado 80012.	Dec. 4, 1991	080002
Adams and Arapahoe, city of Aurora.	Jan. 8, 1992 and Jan. 15, 1992, *Aurora Sentinel.*	The Honorable Paul E. Tauer, Mayor, City of Aurora, 1470 South Havana Street, Aurora, Colorado 80012.	Jan. 3, 1992	080002
Summit, town of Frisco	Jan. 22, 1992 and Jan. 29, 1992, *Summit Sentinel.*	The Honorable Jim Spenst, Mayor, Town of Frisco, P.O. Box 370, Frisco, Colorado 80443.	Dec. 27, 1991	080245
Garfield, city of Glenwood Springs.	Dec. 6, 1991 and Dec. 13, 1991, *Glenwood Post.*	The Honorable Ted O'Leary, Mayor, City of Glenwood Springs, 806 Cooper Avenue, Glenwood Springs, CO 81601.	Nov. 15, 1991	080205
Connecticut: New Haven, town of Madison.	Dec. 19, 1991 and Dec. 26, 1991, *Shore Line Times.*	Mr. Gus Horvath, First Selectman of the Town of Madison, 8 Meetinghouse Lane, Madison, Connecticut 06443.	Dec. 13, 1991	090079 B
Florida: Nassau, unincorporated areas.	Dec. 18, 1991 and Dec. 25, 1991, *Fernandina Beach News Leader.*	The Honorable Jim B. Higginbotham, Chairman, Nassau County Board, P.O. Drawer 1010, Fernandina Beach, Florida 32034.	Nov. 20, 1991	120170
Kansas:				
Douglas, city of Lawrence	Dec. 27, 1991 and Jan. 3, 1992, *Journal World.*	The Honorable Bob Walters, Mayor, City of Lawrence, P.O. Box 708, Lawrence, Kansas 66044-0708.	Dec. 16, 1991	200090
Sedgwick and Sumner, city of Mulvane.	Jan. 2, 1992 and Jan. 9, 1992, *Mulvane News.*	The Honorable Gerald S. Wing, Mayor, City of Mulvane, 211 North Second Street, Mulvane, Kansas 67110.	Dec. 18, 1991	200326
Maryland: Anne Arundel, unincorporated areas.	Jan. 21, 1992 and Jan. 28, 1992, *The Capital.*	Mr. Robert R. Neall, Anne Arundel County Executive, 44 Calvert Street, Annapolis, Maryland 21401.	Jan. 10, 1992	240008 C
Massachusetts: Essex, town of Rockport.	Jan. 15, 1992 and Jan. 22, 1992, *Gloucester Daily Times.*	Ms. Priscilla Garlick, Chairperson of the Town of Rockport Board of Selectmen, Essex County, Town Office Building, P.O. Box 329, Rockport, Massachusetts 01966.	Jan. 8, 1992	250100 B
Minnesota:				
Dakota, city of Lakeville	Dec. 30, 1991 and Jan. 6, 1992, *The Lakeville Life & Times.*	The Honorable Duane Zaun, Mayor, City of Lakeville, 20195 Holyoke Avenue West, Lakeville, Minnesota 55044.	Dec. 17, 1991	270107
Olmsted, unincorporated areas.	Jan. 10, 1992 and Jan. 17, 1992, *Rochester Post Bulletin.*	The Honorable James Rossman, Chairperson, Olmsted County Board of Commissioners, 515 Second Street, S.W., Rochester, Minnesota 55902.	Dec. 26, 1991	270626
New York: Cattaraugus, town of Allegany.	Dec. 5, 1991 and Dec. 12, 1991, *Olean Times Herald.*	Mr. Daniel F. Eaton, Sr., Supervisor of the Town of Allegany, Town Hall, 52 West Main Street, Allegany, New York 14706.	Nov. 25, 1991	360061 B
Ohio: Montgomery, city of Kettering.	Feb. 14, 1992 and Feb. 21, 1992, *Daily News.*	The Honorable Richard Hartmann, Mayor, City of Kettering, 3600 Shroyer Road, Kettering, Ohio 45429.	Jan. 31, 1992	390412
Texas:				
El Paso, city of El Paso	Jan. 21, 1992 and Jan. 28, 1992, *El Paso Times.*	The Honorable William S. Tilney, Mayor of the City of El Paso, El Paso County, Two Civic Center Plaza, El Paso, Texas 79961-1196.	Jan. 8, 1992	480214 B
Harris, unincorporated areas.	Feb. 5, 1992 and Feb. 12, 1992, *The Houston Chronicle.*	The Honorable Jon Lindsay, Harris County Judge, Harris County Administration Building, 1001 Preston, Suite 911, Houston, Texas 77002.	Jan. 28, 1992	480287 G
Harris, unincorporated areas	Jan. 10, 1992 and Jan. 17, 1992, *Houston Chronicle.*	The Honorable Jon Lindsay, Harris County Judge, Harris County Administration Building, 1001 Preston, Suite 911, Houston, Texas 77002.	Dec. 26, 1991	480287 G
Virginia: Fairfax, town of Herndon.	Nov. 22, 1991 and Nov. 29, 1991, *The Herndon Observer.*	The Honorable Thomas Davis Rust, Mayor of the Town of Herndon, P.O. Box 427, Herndon, Virginia 22070.	Nov. 7, 1991	510052
Washington: Spokane, unincorporated areas.	Jan. 24, 1992 and Jan. 31, 1992, *Spokesman Review.*	The Honorable John McBride, Chairman, Spokane County, Board of Commissioners, West 1116 Broadway Avenue, Spokane, Washington 99260.	Dec. 18, 1991	530174
Wisconsin: Green, village of Albany.	Jan. 16, 1992 and Jan. 23, 1992, *Albany Herald.*	The Honorable Bob Ames, Village President, Village of Albany, P.O. Box 342, Albany, Wisconsin 53502.	Jan. 8, 1992	550158

Issued: February 11, 1991.

C.M. "Bud" Schauerte,

Administrator, Federal Insurance Administration.

[FR Doc. 92-6069 Filed 3-13-92; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 65

Federal Insurance Administration; Changes in Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: Modified base (100-year) flood elevations are finalized for the communities listed below.

These modified elevations will be used in calculating flood insurance premium rates for new buildings and their contents and for second layer

coverage on existing buildings and their contents.

EFFECTIVE DATE: The effective dates for these modified base flood elevations are indicated on the following table and revise the Flood Insurance Rate Map(s) (FIRMs) in effect for each listed community prior to this date.

ADDRESSES: The modified base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the following table.

FOR FURTHER INFORMATION CONTACT: Mr. William R. Locke, Chief, Risk Studies Division, Federal Insurance Administration, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–2754.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency gives notice of the final determinations of modified base flood elevations for each community listed. These modified elevations have been published in newspaper(s) of local circulation and ninety (90) days have elapsed since that publication. The Administrator has resolved any appeals resulting from this notification.

Numerous changes made in the base (100-year) flood elevations on the FIRMs for each community make it administratively infeasible to publish, in this notice, all of the changes contained on the maps. However, this rule includes the address of the Chief Executive Officer of the community, where the modified base flood elevation determinations are made available for inspection.

The modifications are made pursuant to section 206 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234) and are in accordance with the National Flood Insurance Act of 1968, (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 44 CFR Part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified base (100-year) flood elevations are the basis for the floodplain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program.

These modified elevations, together with the floodplain management measures required by 60.3 of the program regulations, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, State or regional entities.

These modified base flood elevations shall be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for second layer coverage on existing buildings and their contents.

The changes in base flood elevations are in accordance with 44 CFR 65.4.

Pursuant to the provisions of 5 U.S.C. 605(b), the Administrator, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule, if promulgated, will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical revisions made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 65

Flood insurance, Floodplains.

PART 65—[AMENDED]

1. The authority citation for part 65 continues to read as follows:

Authority: 42 U.S.C. 4001 et seq., Reorganization Plan No. 3 of 1978, E.O. 12127.

2. Section 65.4 is amended by adding, in alphabetic sequence, new entries to the table.

§ 65.4 [Amended]

State	County	Location	Date and name of newspaper where notice was published	Chief Executive Officer of community	Effective date of modification	community No.
Alabama	Jefferson (Docket No. FEMA–7025).	Unincorporated Areas	May 24, 1991, May 31, 1991 *Birmingham News.*	The Honorable Mary Buckelew, President, Jefferson County Board of Commissioners, County Courthouse, Room 211, Birmingham, Alabama 35263.	April 29, 1991	010217
Arizona	Maricopa	City of Phoenix (FEMA Docket No. 7036).	September 10, 1991, September 17, 1991 *The Arizona Republic.*	The Honorable Paul Johnson, Mayor, City of Phoenix, Municipal Building, 251 West Washington Street, Phoenix, Arizona 85002.	September 4, 1991	04013
California	Santa Barbara	Unincorporated Areas (Docket No. 7033).	August 15, 1991, August 22, 1991 *Santa Barbara News Press.*	The Honorable Diane Owens, Chairperson, Santa Barbara County Board of Supervisors, 105 East Anapamu Street, Santa Barbara, California 93101.	July 26, 1991	060331
Do	Santa Barbara	Unincorporated Areas (Docket No. 7038).	October 24, 1991, October 31, 1991 *Santa Barbara News-Press.*	The Honorable Diane Owens, Chairperson, Santa Barbara County Board of Supervisors, 105 East Anapamu Street, Santa Barbara, California 93101.	October 18, 1991	060331

State	County	Location	Date and name of newspaper where notice was published	Chief Executive Officer of community	Effective date of modification	community No.
Do	Ventura	Unincorporated Areas (Docket No. 7033).	August 23, 1991, August 30, 1991 *Star-Free Press.*	The Honorable John K. Flynn, Chairman, Ventura County Board of Supervisors, 800 South Victoria Avenue, Ventura, California 93009.	July 25, 1991	060413
Colorado	Jefferson	Unincorporated Areas (Docket No. 7035).	August 22, 1991, August 29, 1991 *Golden Transcript.*	The Honorable John P. Stone, Chairman, Jefferson County Commissioners, 1700 Arapahoe Street, Golden, Colorado 80419.	August 6, 1991	080087
Georgia	Chatham (Docket No. FEMA-7033).	Unincorporated Areas	August 2, 1991, August 9, 1991 *Savannah News Press.*	The Honorable Russell E. Abolt, County Manager, Chatham County, P.O. Box 8161, Savannah, Georgia 31412.	July 24, 1991	130030
Illinois	DuPage (Docket No. FEMA-7035).	Village of Glendale Heights.	August 16, 1991, August 23, 1991 *Daily Journal.*	The Honorable Michael Camera, Village President, Village of Glendale Heights, 300 Civic Center Plaza, Glendale Heights, Illinois 60139.	August 8, 1991	170206
Indiana	Marion (Docket No. FEMA-7036).	City of Indianapolis	August 29, 1991, September 5, 1991 *The Indianapolis Star.*	The Honorable William H. Hudnut, III, Mayor, City of Indianapolis, 2501 City-County Building, Indianapolis, Indiana 46204.	August 13, 1991	180159
Louisiana	Unincorporated Areas (FEMA Docket No. 7033).	St. Tammany Parish	August 1, 1991, August 8, 1991 *The Times-Picayune.*	Mr. Steve Stefancik, President of the St. Tammany Parish Police Jury, P.O. Box 628, Covington, Louisiana 70434.	July 25, 1991	225205 D
Minnesota	Olmsted (Docket No. FEMA-7035).	City of Rochester	September 6, 1991, September 13, 1991 *Rochester Post Bulletin.*	The Honorable Chuck Hazama, Mayor, City of Rochester, 224 1st Avenue, SW., Rochester, Minnesota 55902.	August 21, 1991	275246
Mississippi	Madison (Docket No. FEMA-7036).	Town of Madison	September 12, 1991, September 19, 1991 *Madison County Herald.*	The Honorable Mary Hawkins, Mayor, Town of Madison, P.O. Box 40, Madison, Mississippi 39110.	August 30, 1991	280229
North Carolina	Craven (Docket No. FEMA-7025).	Town of Trent Woods	June 6, 1991, June 13, 1991 *New Bern Sun Journal.*	The Honorable Leroy H. Price, Mayor, Town of Trent Woods, P.O. Box 2392, New Bern, North Carolina 28561-2392.	June 24, 1991	370434
Ohio	Lake (Docket No. FEMA-7035).	City of Mentor	August 16, 1991, August 23, 1991 *Willoughby News Herald.*	The Honorable Julian M. Suso, City Manager, City of Mentor, 8500 Civic Center Boulevard.	July 31, 1991	390317
South Carolina	Greenville (Docket No. FEMA-7035).	Unincorporated Areas	September 12, 1991, September 19, 1991 *Greenville News Piedmont.*	The Honorable William J. Estabrook, County Administrator, Greenville County, 301 University Ridge, Suite 100, Greenville, South Carolina 29601.	August 6, 1991	450089
Tennessee	Knox (Docket No. FEMA-7035).	City of Knoxville	September 10, 1991, September 17, 1991 *The News Sentinel.*	The Honorable Victor Ashe, Mayor, City of Knoxville, 400 Main Avenue, Knoxville, Tennessee 37901.	August 22, 1991	475434
Do	Knox (Docket No. FEMA-7035).	City of Knoxville	August 22, 1991, August 29, 1991 *The News Sentinel.*	The Honorable Victor Ashe, Mayor, City of Knoxville, P.O. Box 1631, Knoxville, Tennessee 37901.	August 14, 1991	475434

State	County	Location	Date and name of newspaper where notice was published	Chief Executive Officer of community	Effective date of modification	community No.
Do	Shelby (Docket No. FEMA-7035).	City of Germantown	August 22, 1991, August 29, 1991 *Germantown News.*	The Honorable Charles Salvaggio, Mayor, City of Germantown, P.O. Box 38809, Germantown, Tennessee 38183-0809.	August 8, 1991	470353
Do	Shelby (Docket No. FEMA-7035).	City of Memphis	September 12, 1991, September 19, 1991 *Memphis Daily News.*	The Honorable Richard C. Hackett, Mayor, City of Memphis, 125 N. Mid-America Mall, Memphis, Tennessee 38103.	August 26, 1991	470177
Do	Shelby (Docket No. FEMA-7035).	City of Memphis	August 29, 1991, September 5, 1991 *Memphis Daily News.*	The Honorable Richard C. Hackett, Mayor, City of Memphis, 125 N. Mid-America Mall, Suite 200, Memphis, Tennessee 38103.	August 13, 1991	470177
Texas	Bexar (FEMA Docket No. 7033).	Town of Shavano Park.	July 25, 1991, August 1, 1991 *The Northwest Recorder Times.*	The Honorable Linda Zuflacht, Mayor of the Town of Shavano Park, Bexar County, 99 Saddletree Road, San Antonio, Texas 78231.	July 18, 1991	480047 B
Virginia	Arlington (FEMA Docket No. 7021).	Unincorporated Areas	May 1, 1991, May 8, 1991 *The Arlington Journal.*	Mr. Albert C. Eisenberg, Chairman of the Arlington County Board of Supervisors, 2100 Clarendon Boulevard, Suite 300, Arlington, Virginia 22201.	April 24, 1991	515520 B
Wisconsin	Waukesha (Docket No. FEMA-7036).	City of Brookfield	September 12, 1991, September 19, 1991 *Brookfield News.*	The Honorable Kathryn C. Bloomberg, Mayor, City of Brookfield, 2000 North Calhoun Road, Brookfield, Wisconsin 53005.	August 30, 1991	550478

Issued: February 11, 1991.

C.M. "Bud" Schauerte,

Administrator, Federal Insurance Administration.

[FR Doc. 92-6072 Filed 3-13-92; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 67

Final Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: Final base (100-year) flood elevations are determined for the communities listed below.

The base (100-year) flood elevations are the basis for the floodplain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: The date of issuance of the Flood Insurance Rate Map (FIRM) showing base (100-year) flood elevations, for the community. This date may be obtained by contacting the office where the maps are available for inspection indicated on the table below.

ADDRESSES: See table below.

FOR FURTHER INFORMATION CONTACT: William R. Locke, Chief, Risk Studies Division, Federal Insurance Administration, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-2754.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency gives notice of the final determinations of flood elevations for each community listed. Proposed base flood elevations or proposed modified base flood elevations have been published in the **Federal Register** for each community listed.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)). 42 U.S.C. 4001-4128, and 44 CFR part 67. An opportunity for the community or individuals to appeal proposed determination to or through the community for a period of ninety (90) days has been provided.

The Agency has developed criteria for floodplain management in flood-prone areas in accordance with 44 CFR part 60.

Pursuant to the provisions of 5 USC 605(b), the Administrator, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies for reasons set out in the proposed rule that the final flood elevation determinations, if promulgated, will not have a significant economic impact on a substantial number of small entitles. Also, this rule is not a major rule under terms of Executive Order 12291, so no regulatory analyses have been prepared. It does not involve any collection of information for purposes of the Paperwork Reduction Act.

List of Subjects in 44 CFR Part 67.

Flood insurance, Flood plains.

PART 67—[AMENDED]

The authority citation for part 67 continues to read as follows:

Authority: 42 U.S.C. 4001 et seq., Reorganization Plan No. 3 of 1978, E.O. 12127.

Interested lessees and owners of real property are encouraged to review the proof Flood Insurance Study and Flood

Insurance Rate Map available at the address cited below for each community.

The base (100-year) flood elevations are finalized in the communities listed below. Elevations at selected locations in each community are shown. No appeal was made during the ninety-day period and the proposed base flood elevations have not been changed.

Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD)
ARIZONA	
Show Low (city), Navajo County (FEMA Docket No. 7039)	
Show Low Creek:	
Approximately 1.57 miles upstream of U.S. Highway 60	*6,346
Approximately 5,390 feet downstream of Jaques Dam	*6,512
Approximately 1,050 feet downstream of Jaques Dam Weir	*6,552
Maps are available for review at the City Engineering Department, City Hall, 200 West Cooley Street, Show Low, Arizona.	
CALIFORNIA	
Perris (city), Riverside County (FEMA Docket No. 7037)	
Perris Valley Storm Drain:	
Approximately 1,500 feet downstream of Nuevo Road	*1,420
Just upstream of Nuevo Road	*1,424
At Orange Avenue	*1,430
Approximately 2,000 feet upstream of Rider Street	*1,444
Maps are available for review at the Civic Center, 101 North D Street, Perris, California.	
COLORADO	
Denver (city), Denver County (FEMA Docket No. 7037)	
Goldsmith Gulch:	
Approximately 100 feet upstream of Cherry Creek Drive South	*5,397
At Mexico Avenue	*5,408
At Jewel Avenue	*5,419
At Evans Avenue and South Monaco Street Parkway	*5,431
At Ilife Avenue	*5,437
At Yale Avenue	*5,457
At Hampden Avenue	*5,497
At Princeton Avenue	*5,525
At Quincy Avenue	*5,549
At Belleview Road	*5,591
Maps are available for review at the City and County of Denver Department of Public Works, 3840–G York Street, Denver, Colorado.	
CONNECTICUT	
Ansonia (city), New Haven County (FEMA Docket No. 7030)	
Beaver Brook:	
Approximately 620 feet upstream of confluence with Naugatuck River	*28
At downstream side of Quillinan Reservoir Dam	*127
Whitemare Brook:	
At confluence with Beaver Brook	*96
Approximately 1,000 feet upstream of Doyle Drive	*398
Maps available for inspection at the Town Clerk's Office, 253 Main Street, Ansonia, Connecticut.	
Colchester (town), New London County (FEMA Docket No. 7034)	
Meadow Brook:	
Approximately 0.4 mile downstream of Levy Road	*276
Approximately 0.6 mile upstream of State Route 16	*310
Day Meadow Brook:	
At upstream side of River Road	*195
At downstream side of State Route 2	*278
Maps available for inspection at the Town Clerk's Office, 127 Norwich Avenue, Colchester, Connecticut.	
Cromwell (town), Middlesex County (FEMA Docket No. 7030)	
Mattabassett River:	
Approximately 105 feet upstream of State Route 72	*26
At upstream corporate limits	*30
Maps available for inspection at the Office of Public Works, 41 West Street, Cromwell, Connecticut.	
FLORIDA	
Manatee County (unincorporated areas) (FEMA Docket No. 7032)	
Braden River:	
Just upstream of Interstate 75	*14
Just downstream of State Road 70	*37
Braden River West Channel:	
At mouth	*35
Just downstream of State Road 70	*37
Gap Creek:	
At mouth	*8
Just upstream of Saunders Road	*18
South Fork Little Manatee River:	
At downstream county boundary	*45
Just downstream of Bunker Hill Road (upstream crossing)	*95
Frog Creek:	
Just upstream of U.S. Route 41	*14
At confluence of Cedar Drain	*21
Buffalo Canal:	
At confluence of Cedar Drain	*21
About 2.3 miles upstream of confluence of Wade Canal	*32
Cabbage Slough:	
At mouth	*15
Just upstream of Moccasin Wallow Road	*24
Wade Canal:	
At mouth	*24
About 1.5 miles upstream of Erie Road	*35
Gamble Creek:	
Just upstream of Golf Course Road	*18
About 1100 feet upstream of divergence of Frye Canal	*28
Cedar Hammock Drainage Canal:	
Just upstream of 26th Avenue West	*16
Just upstream of 20th Street West	*20
Gates Creek:	
At mouth	*11
Just downstream of State Road 64	*26
Frye Canal:	
At mouth	*18
At divergence with Gamble Creek	*27
Mill Creek:	
About 1.25 miles downstream of State Road 64	*14
Just upstream of Trail Road	*33
Rattlesnake Slough:	
At mouth	*10
Just upstream of North Lockwood Ridge Road	*15
Wolf Slough:	
At mouth	*26
About 1.7 miles upstream of State Road 70	*35
Myakka River:	
Just upstream of State Road 70	*42
Just downstream of State Road 64	*74
Cooper Creek:	
At mouth	*15
Just downstream of University Parkway	*21
East Fork Cooper Creek:	
At mouth	*15
About 2900 feet upstream of Trail Road	*23
Cypress Strand:	
At mouth	*7
Just downstream of Landfill Road	*31
Williams Creek:	
At mouth	*8
Just upstream of Trail Road	*26
Maps available for inspection at the Development and Review Department, County Administrative Complex, 1112 Manatee Avenue, West, 4th Floor, Bradenton, Florida.	
Hillsborough County (unincorporated areas) (FEMA Docket No. 7039)	
Rocky Creek:	
Just upstream of Gunn Highway	*31
Just downstream of Lutz Lake-Fern Road	*65
Baker-Pemberton Creek:	
At mouth	*40
Just downstream of Forbes Road	*91
Tributary A:	
At mouth	*80
About 700 feet upstream of U.S. Route 92	*86
Spartman Branch:	
At mouth	*90
About 3500 feet upstream of Turkey Creek Road	*102
Brushy Creek:	
Just upstream of Gunn Highway	*33
Just downstream of Dale Mabry Highway	*56
Sweetwater Creek Diversion:	
At mouth	*10
About 3900 feet upstream of Hanley Road	*10
Sweetwater Creek	
Just upstream of divergence from Sweetwater Creek Diversion	*10
Just downstream of Water Control structure G–1	*10
Just upstream of Water Control Structure G–1	*16
Just downstream of Lake Magdalene Boulevard	*51
Curiosity Creek:	
Just upstream of West Fowler Avenue	*32
Just downstream of Bearss Avenue	*51
Brooker Creek:	
At county boundary	*30
Just downstream of Van Dyke Road	*53
Flint Creek:	
At mouth	*39
About 2900 feet upstream of Knights-Griffin Road	*40
Campbell Branch:	
Just upstream of confluence of Flint Creek	*40
Just downstream of Forbes Road	*92
Maps available for inspection at the Development Services Center, 800 Twigg Street, Room 101, Tampa, Florida.	
GEORGIA	
Fayette County (unincorporated areas) (FEMA Docket No. 7037)	
Murphy Creek:	
At mouth	*771
At confluence of Nash Creek	*792
Nash Creek: At State Route 54	*827
Flint River:	
About 0.83 mile downstream of Woolsey Road	*754
At confluence of Camp Creek	*793
Camp Creek: About 1000 feet upstream of State Route 54	*796
Morning Creek:	
At mouth	*788
About 1.22 miles upstream of mouth	*789
Maps available for inspection at the Fayette County Zoning Department, 105 Stonewall Avenue East, Fayetteville, Georgia.	
Decatur (city), DeKalb County (FEMA Docket No. 7039)	
Shoal Creek:	
About 2,500 feet downstream of Midway Run	*916
Just downstream of Kirk Road	*950
Just upstream of Kirk Road	*961
Just downstream of Hilldale Drive	*970
Just upstream of Hilldale Drive	*978
About 900 feet upstream of South Columbia Drive	*992
Shoal Creek West Tributary:	
At mouth	*931
Just downstream of South McDonough Street	*965

Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD)
Just upstream of South McDonough Street	*971
Just downstream of Adams Street	*971
Just upstream of Adams Street	*976
Just downstream of Ansley Street	*988
Peavine Creek:	
At confluence of Peavine Creek Tributary	*935
Just downstream of Coventry Road	*935
Just upstream of Coventry Road	*945
About 1,000 feet upstream of Coventry Road	*945
Peavine Creek Tributary:	
At mouth	*935
Just downstream of West Ponce de Leon Avenue	*970
South Fork Peachtree Creek Tributary:	
Just downstream of North Decatur Road	*902
Just upstream of North Decatur Road	*907
Just downstream of Scott Boulevard	*911
Just upstream of Scott Boulevard	*917
Just downstream of Church Street	*927
Just upstream of Church Street	*936
Just downstream of Glendale Avenue	*949
Sugar Creek Tributary:	
About 700 feet downstream of Second Avenue	*982
About 1,050 feet upstream of Second Avenue	*989
Church Street Branch:	
At mouth	*923
Just downstream of Willow Lane	*925
Just upstream of Willow Lane	*930
Just downstream of Medlock Road	*944
Lamont Drive Branch:	
At mouth	*956
Just downstream of Wilton Drive	*964
Just upstream of Wilton Drive	*979
Maps available for inspection at the City Engineer's Office, Public Works Building, 2635 Talley Street, Decatur, Georgia.	
ILLINOIS	
Naperville (city), DuPage and Will Counties (FEMA Docket No. 7037)	
West Branch Tributary No. 6:	
At mouth	*660
Just upstream of downstream crossing of Hobson Mill Drive	*662
About 450 feet upstream of downstream crossing of Hobson Mill Drive	*662
Maps available for inspection at the City of Naperville, Department of Community Development, 175 West Jackson Avenue, Naperville, Illinois.	
LOUISIANA	
St. Mary Parish (unincorporated areas) (FEMA Docket No. 7037)	
Gulf of Mexico:	
At Southern Pacific Railroad west of Wax Lake Outlet	*8
At intersection of Wax Lake Outlet and Intracoastal Waterway	*12
Local rainfall: At western corporate limits of the Town of Patterson between Wax Lake Outlet and Lower Atchafalaya River	*1.5
Bayou Teche (West of Wax Lake Outlet):	
Approximately 2,100 feet upstream of Charenton Drainage and Navigation Canal	*10
Approximately 1.5 miles upstream of Charenton Drainage and Navigation Canal	*10
Maps available for inspection at the St. Mary Parish Courthouse, 5th Floor, Courthouse Building, Franklin, Louisiana.	
MARYLAND	
Elkton (town), Cecil County (FEMA Docket No. 7034)	
Elk River:	
At the downstream corporate limits	*12
At confluence of Big and Little Elk Creeks	*12
Big Elk Creek:	
At the confluence of Little Elk Creek	*12
Approximately 300 feet upstream of U.S. Route 40	*12
Little Elk Creek:	
At the confluence of Big Elk Creek	*12
Upstream side of CONRAIL	*12
Maps available for inspection at the Building Inspection's Office, 107 North Street, Elkton, Maryland.	
Montgomery County (unincorporated areas) (FEMA Docket No. 7034)	
Whetstone Run:	
At confluence with Great Seneca Creek	*323
At a point approximately 1.4 miles upstream of the confluence with Great Seneca Creek	*343
Muddy Branch:	
At confluence with Muddy Branch Tributary 1	*330
Approximately 0.6 mile upstream of Interstate Route 270	*421
Muddy Branch Tributary 1:	
At confluence with Muddy Branch	*330
At a point approximately .6 mile upstream of the confluence with Muddy Branch	*345
Maps available for inspection at the County Department of Environmental Protection, Stormwater Management, 250 Hungerford Drive, Rockville, Maryland.	
MASSACHUSETTS	
Amesbury (town), Essex County (FEMA Docket No. 7034)	
Powwow River:	
Approximately 700 feet upstream of Lake Gardner Dam	*90
Approximately 100 feet downstream of upstream crossing of Newton Road	*95
Maps available for inspection at the Town Hall, Friend Street, Amesbury, Massachusetts.	
MISSOURI	
Hanley Hills (village), St. Louis County (FEMA Docket No. 7034)	
Northeast Branch River Des Peres:	
At downstream corporate limits	*541
At upstream corporate	*545
Maps available for inspection at the Village Hall, 7713 Utica Drive, St. Louis. Missouri.	
NEW HAMPSHIRE	
Grantham (town), Sullivan County (FEMA Docket No. 7034)	
North Branch Sugar River:	
At downstream corporate limits	*914
At confluence of Stocker and Sawyer Brooks	*959
Stocker Brook:	
At confluence with North Branch Sugar River	*959
Approximately .4 mile upstream of Interstate Route 89	*1,028
Sawyer Brook:	
At confluence with North Branch Sugar River	*959
Approximately .5 mile upstream of Yankee Barn Road	*978
Skinner Brook:	
At confluence with Sawyer Brook	*971
Approximately 150 feet upstream of State Route 10 (second crossing)	*1,003
Butternut Brook:	
At confluence with Eastman Pond	*1,110
Approximately 0.6 mile upstream of Mill Pond Dam	*1,140
Stocker Pond Outlet Channel:	
At confluence with Stocker Brook	*1,026
At Divergence from Stocker Brook	*1,028
Eastman Pond: Entire shoreline within community	*1,110
Stocker Pond: Entire shoreline within community	*1,026
Maps available for inspection at the Town Office Vault, Town Office, Grantham, New Hampshire.	
South Hampton (town), Rockingham County (FEMA Docket No. 7034)	
Powwow River:	
At downstream corporate limits	*90
Approximately 1,050 feet upstream of Chase Road	*105
Grassy Brook:	
Approximately .5 mile downstream of Main Avenue	*102
Approximately 800 feet upstream of Main Avenue	
Maps available for inspection at the Town Hall, 255 Killdale Avenue, South Hampton, New Hampshire.	
NEW JERSEY	
Fairfield (township), Cumberland County (FEMA Docket No. 7037)	
Delaware Bay & its estuaries: Entire shoreline within community	*9
Maps available for inspection at the Township Municipal Building, Fairton-Gouldtown Road, Route 553, Fairton, New Jersey.	
Greenwich (township), Cumberland County (FEMA Docket No. 7037)	
Delaware Bay:	
At confluence of the Cohansey River	*9
At confluence of Stow Creek	*9
Maps Available for inspection at the Township Clerk's Residence, Ye Great Street, Greenwich, New Jersey.	
OHIO	
Crestline (city), Crawford and Richland Counties (FEMA Docket No. 7037)	
East Branch Sandusky River:	
About 340 feet downstream of Thrush Avenue	*1132
Just downstream of North Street	*1141
West Branch Sandusky River:	
About 740 feet downstream of Park Road	*1129
About 1930 feet upstream of Patterson Street	*1154
Maps available for inspection at the City Building Department, 100 North Seltzer, Crestline, Ohio.	
North Olmsted (city), Cuyahoga County (FEMA Docket No. 7037)	
Fitch Lateral:	
At confluence with Roots Ditch	*770
About 840 feet upstream of confluence of Westerly Lateral	*774
Roots Ditch:	
Just downstream of Canterbury Road	*757
About 500 feet upstream of Canterbury Road	*765
About 790 feet upstream of Stearns Road	*778
Maps available for inspection at the Building Department, 5200 Dover Center Road, North Olmsted, Ohio.	
PENNSYLVANIA	
Butler (township), Schuylkill County (FEMA Docket No. 7037)	
Mahanoy Creek (Lower Reach):	
Upstream side of CONRAIL bridge	*808
Downstream side of Julia Street	*938
Shenandoah Creek:	
Downstream corporate limits	*966
Approximately 430 feet downstream of upstream corporate limits	*1,003
Maps available for inspection at the Municipal Building, 211 Broad Street, Fountain Springs, Ashland, Pennsylvania.	
Felton (borough), York County (FEMA Docket No. 7034)	
North Branch Muddy Creek:	
Approximately 80 feet upstream from corporate limits	*530
At upstream corporate limits	*543
Pine Run:	
At confluence with North Branch Muddy Creek	*533
Approximately 30 feet downstream of Main Street	*533
Tributary to North Branch Muddy Creek:	
At confluence with North Branch Muddy Creek	*539

Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD)
Approximately 20 feet downstream of Legislative Route 66100	*539
Maps available for inspection at the Building Permit Officer's home, 40 Water Street, Jacobus, Pennsylvania. Contact for appointment at (717) 426-1188.	
Lower Alsace (township), Berks County (FEMA Docket No. 7032)	
Tributary B:	
Approximately 280 feet upstream of the confluence with Antietam Creek	*391
At Route 73	*570
Antietam Creek:	
Approximately 400 feet downstream of upstream corporate limits	*539
At upstream corporate limits	*571
Maps available for inspection at the Township Municipal Building, 750 North 25th Street, Reading, Pennsylvania.	
Lower Southampton (township), Bucks County (FEMA Docket No. 7017)	
Poquessing Creek:	
Approximately 50 feet downsiream of Trevose Road	*135
Approximately 950 feet upstream of Hickory Avenue	*187
Poquessing Creek Tributary No. 1:	
Approximately 650 feet upstream of confluence with Poquessing Creek	*137
At upstream corporate limits	*143
Mill Creek:	
Approximately 1,270 feet downstream of Bristol Road West	*90
Approximately 0.47 mile upstream of Bristol Road	*88
Maps available for inspection at the Public Works Department, 1500 Desire Avenue, Feasterville, Pennsylvania.	
Mercersburg (borough), Franklin County (FEMA Docket No. 7037)	
Johnston Run:	
At a point approximately 180 feet downstream of the downstream corporate limits	*529
At upstream corporate limits	*553
Maps available for inspection at the Borough Building, 113 South Main, Mercersburg, Pennsylvania.	
Somerset (township), Somerset County (FEMA Docket No. 7032)	
East Branch Coxes Creek:	
Approximately 1,500 feet downstream of Musselman Avenue	*2,099
Approximately 1,200 feet upstream of confluence with unnamed tributary to East Branch Coxes Creek at access road	*2,105
Unnamed Tributary to East Branch Coxes Creek:	
At confluence with East Branch Coxes Creek	*2,105
Approximately 300 feet upstream of corporate limits	*2,105
Maps available for inspection at the Township Municipal Building, Somerset, Pennsylvania.	
Upper Chichester (township), Delaware County (FEMA Docket No. 7037)	
Naaman Creek:	
At downstream corporate limits	*51
At upstream corporate limits	*142
Maps available for inspection at the Township Hall, Furey Road, Boothwyn, Pennsylvania.	
SOUTH CAROLINA	
Barnwell (city), Barnwell County (FEMA Docket No. 7037)	
Jordan Branch:	
Just upstream of Galilee Road	*199
Just downstream of dam	*200
Just upstream of dam	*210
About 3100 feet upstream of Main Street	*217
Maps available for inspection at the City of Barnwell, 1808 Burr Street, Barnwell, South Carolina.	
TEXAS	
Bryan (city), Brazos County (FEMA Docket No. 7034)	
Carters Creek:	
At upstream side of University Drive	*262
Approximately 1.3 miles upstream of Old Reliance Road	*326
Burton Creek Tributary D:	
At confluence with Burton Creek	*288
At Texas Avenue	*295
Cottonwood Branch:	
Approximately 0.7 mile downstream of Industrial Boulevard	*279
Approximately 0.065 mile upstream of FM 2818	*295
Turkey Creek:	
Approximately 0.52 mile downstream of Villa Maria Road	*264
At downstream side of Villa Maria Road	*271
Thompsons Creek:	
Approximately 0.52 mile upstream of confluence of Thompsons Branch	*274
At downstream side of Mumford Road	*295
Thompsons Branch:	
Approximately 0.3 mile upstream of confluence with Thompsons Branch	*273
Approximately 0.06 mile upstream of U.S. Route 190	*307
Still Creek:	
Approximately 0.5 mile downstream of FM 2818	*275
Approximately 50 feet upstream of FM 2818	*280
Maps available for inspection at the City Hall, 300 S. Texas Avenue, Bryan, Texas.	
College Station (city), Brazos County (FEMA Docket No. 7034)	
Wolf Pen Creek:	
Approximately 1,600 feet upstream of confluence with Carters Creek	*247
Approximately 680 feet upstream of Anderson Street	*305
Wolf Pen Creek Tributary A:	
At confluence with Wolf Pen Creek	*276
Approximately 50 feet upstream of Dominik Drive	*290
Wolf Pen Creek Tributary B:	
At confluence with Wolf Pen Creek	*286
Approximately 1,300 feet upstream of State Route 30	*291
Wolf Pen Creek Tributary C:	
At confluence with Wolf Pen Creek	*292
Approximately 100 feet upstream of Jersey Street	*298
Lick Creek:	
Approximately 1.7 miles upstream of Peach Creek Road	*210
Approximately 3.5 miles upstream of the confluence of Spring Creek	*276
Alum Creek:	
At the confluence with Lick Creek	*217
Approximately 0.9 mile upstream of confluence with Lick Creek	*226
Stream AC-1:	
Approximately 1.0 mile upstream of confluence with Alum Creek	*244
Approximately 1.8 mile upstream of confluence with Alum Creek	*277
Carters Creek:	
Approximately 460 feet downstream of confluence of Bee Creek	*233
At upstream side of University Drive	*262
Bee Creek:	
At confluence with Carters Creek	*234
Approximately 1,500 feet upstream of confluence with Carters Creek	*236
Bee Creek Tributary B:	
Approximately 0.1 mile downstream of Welch Boulevard	*278
Approximately 250 feet upstream of Welch Boulevard	*278
Maps available for inspection at the City Hall, 1101 Texas Avenue, College Station, Texas.	
Mesquite (city), Dallas County (FEMA Docket No. 7034)	
North Mesquite Creek:	
Approximately 50 feet downstream of Town East Boulevard	*504
Approximately 100 feet upstream of Via Del Norte	*507
Unnamed Tributary to North Mesquite Creek:	
At the confluence with North Mesquite Creek	*505
Approximately 30 feet upstream of Green Canyon Drive	*513
Maps available for inspection at the Engineering Division, 1515 Galloway, Mesquite, Texas.	
Rockwall (city), Rockwall County (FEMA Docket No. 7031)	
Buffalo Creek Tributary 1:	
Approximately 80 feet upstream of County Road	*536
Approximately 0.6 mile upstream of confluence with Buffalo Creek Tributary 1.2	*565
Buffalo Creek Tributary 1.1:	
At confluence with Buffalo Creek Tributary 1	*538
Approximately 750 feet upstream of Industrial Boulevard	*552
Buffalo Creek Tributary 1.2:	
At confluence with Buffalo Creek Tributary 1	*547
Approximately 1,000 feet upstream of confluence with Buffalo Creek Tributary 1	*552
Maps available for inspection at the City Hall, 205 West Rusk, Rockwall, Texas	
Tom Green County (unincorporated areas) (FEMA Docket No. 7010)	
Concho River:	
Approximately 1.1 miles downstream of FM 1692	*1,701
Most upstream corporate limits of City of San Angelo	*1,798
Red Creek:	
At confluence with Concho Creek	*1,751
Approximately 1.5 miles upstream of Pipeline Road	*2,087
Red Creek Tributary 1:	
At confluence with Red River	*1,879
Approximately 1.5 miles upstream of Abandoned Railroad	*1,997
Red Creek Tributary 2:	
At confluence with Red Creek	*1,896
Approximately 2.0 miles upstream of confluence with Red Creek	*1,937
Red Creek Tributary 4:	
At confluence with Red Creek	*1,940
Approximately 0.4 mile upstream of Bristow Road	*2,015
North Concho River:	
At the upstream side of the O.C. Fisher Dam	*1,936
Approximately 1.7 miles upstream of Carlsbad Loop Road	*2,011
Lake Creek:	
At downstream corporate limits (Cauley Lane)	*1,916
Approximately 0.9 mile upstream of Navajo Road	*2,051
West Fork Lake Creek:	
At confluence with Lake Creek	*1,923
Approximately 0.7 mile upstream of Robbins Road	*1,993
Grape Creek Draw:	
At confluence with North Concho River	*1,936
Approximately 700 feet upstream of Wren Road	*1,986
Grape Creek:	
At confluence with North Concho River	*1,961
Approximately 1.3 miles upstream of Grape Creek Road	*2,020
Stream NC-1:	
At confluence with North Concho River	*1,990
Approximately 0.7 mile upstream of 8th Street	*2,070
South Concho River:	
Approximately 0.4 mile downstream of U.S. Routes 87 and 277	*1,823
At Twin Buttes Reservoir	*1,905
Pecan Creek:	
At confluence with South Concho River	*1,892

Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD)
Approximately 1.1 miles upstream of Frontage Road	*1,960
Red Creek Split:	
At confluence with Red Creek	*1,970
At the divergence from Red Creek	*1,988
Stream SCR-3:	
At confluence with South Concho River	*2,031
Approximately 0.7 mile upstream of confluence with South Concho River	*2,050
Stream SCR-4:	
At confluence with South Concho River	*2,032
Approximately 1.1 miles upstream of confluence with South Concho River	*2,065
Stream SCR-5:	
At upstream of U.S. Route 277	*2,035
Approximately 0.6 mile upstream of Ford Street	*2,123
Middle Concho River:	
Approximately 0.5 mile downstream of Twin Buttes Dam	*1,881
Approximately 0.6 mile upstream of confluence of Brushy Creek	*2,001
Spring Creek:	
At Twin Buttes Reservoir Dam	*1,959
Approximately 1.5 miles upstream of confluence of Stream SC1	*2,034
Spring Creek Tributary 1:	
At confluence with Spring Creek	*2,013
Approximately 150 feet upstream of U.S. Route	*2,037
Dove Creek:	
At confluence with Spring Creek	*1,964
A point approximately 850 feet upstream of County boundary	*2,115
Stream DC-1:	
At confluence with Dove Creek	*1,991
Approximately 200 feet upstream of FM 2335	*2,013
Stream DC-2:	
At confluence with Dove Creek	*1,995
Approximately 175 feet upstream of FM 2235	*2,026
Dove Creek Split 1:	
At confluence with Spring Creek	*1,972
At the divergence from Dove Creek	*1,980
Dove Creek Split 2:	
At confluence with Spring Creek	*1,969
At divergence from Dove Creek	*1,970
Maps available for inspection at the Public Health Building, 2 City Hall Plaza, San Angelo, Texas.	
WEST VIRGINIA	
Davis (town), Tucker County (FEMA Docket No. 7032)	
Blackwater River:	
At downstream corporate limits	*3,073
At upstream corporate limits	*3,078
Beaver Creek:	
At confluence with Blackwater River	*3,077
Approximately 100 feet upstream of the upstream corporate limits	*3,080
Maps available for inspection at the Town Hall, William Avenue, Davis, West Virginia.	
Hambleton (town), Tucker County (FEMA Docket No. 7032)	
Black Fork:	
At downstream corporate limits	*1,679
At upstream corporate limits	*1,694
Maps available for inspection at the Town Hall, Hambleton, West Virginia.	
Harrison County (unincorporated areas) (FEMA Docket No. 7032)	
West Fork River:	
Approximately 1.1 miles upstream of New Enterprise Road bridge	*907
At upstream County boundary	*996
Maps available for inspection at the Harrison County Courthouse, 301 West Main Street, Clarksburg, West Virginia.	
Hendricks (town), Tucker County (FEMA Docket No. 7032)	
Dry Fork:	
At confluence with Black Fork	*1,711
At upstream corporate limits	*1,720
Black Fork:	
At downstream corporate limits	*1,696
At confluence of Dry Fork	*1,711
Blackwater River:	
At confluence with Black Fork	*1,711
At upstream corporate limits	*1,720
Maps available for inspection at 135 Charles Street, Hendricks, West Virginia.	
Marion County (unincorporated areas) (FEMA Docket No. 7032)	
West Fork River:	
Approximately 500 feet upstream of the downstream City of Fairmont corporate limits	*878
Approximately 400 feet upstream of the confluence of Bingamon Creek	*903
Bingamon Creek:	
At the confluence with the West Fork River	*902
Approximately 25 feet downstream of U.S. Route 19	*902
Maps available for inspection at the City/County Building, Room 403, 200 Jackson Street, Fairmont, West Virginia.	
Parsons (town), Tucker County (FEMA Docket No. 7032)	
Shavers Fork:	
At downstream corporate limits	*1,644
At upstream corporate limits	*1,662
Black Fork:	
Approximately 300 feet downstream of downstream corporate limits	*1,644
At upstream corporate limits	*1,658
Maps available for inspection at the City Building, Parsons, West Virginia.	
Thomas (city), Tucker County (FEMA Docket No. 7032)	
North Fork Blackwater River:	
At downstream corporate limits	*2,916
At upstream corporate limits	*2,967
Maps available for inspection at the City Hall, Spruce Street, Thomas, West Virginia.	
Tucker County (unincorporated areas) (FEMA Docket No. 7032)	
Cheat River:	
Approximately 3,200 feet downstream of confluence of Clover Run	*1,543
At confluence of Black Fork and Shavers Fork	*1,638
Shavers Fork:	
At confluence with Cheat River	*1,638
At upstream County boundary	*1,812
Black Fork:	
At confluence with Cheat River	*1,638
At confluence of Dry Run and Blackwater River	*1,711
Haddix Run:	
At confluence with Shavers Fork	*1,678
Approximately 12,700 feet upstream of confluence of Fools Run	*2,017
Blackwater River:	
At confluence with Black Fork	*1,711
Approximately 450 feet upstream of the corporate limits of the Town of Hendricks	*1,726
At the downstream corporate limits of the Town of Davis	*3,073
Approximately 350 feet upstream of upstream corporate limits of the Town of Davis	*3,078
Dry Fork:	
At confluence with Black Fork	*1,711
Approximately 7,000 feet upstream of confluence of Red Run	*1,845
Horseshoe Run:	
Approximately 100 feet downstream of County Highway 9	*1,723
Approximately 700 feet upstream of the confluence of Wolf Run	*1,879
Pleasant Run:	
At confluence with Shavers Fork	*1,733
Approximately 650 feet upstream of confluence of Little Laurel Run	*1,926
North Fork Blackwater River:	
Approximately 1,530 feet downstream of County Highway 27	*2,842
Approximately 600 feet upstream of the upstream corporate limits of the Town of Thomas	*2,964
Beaver Brook:	
At confluence with Blackwater River	*3,077
Approximately 300 feet upstream of the upstream corporate limits	*3,080
Maps available for inspection at the County Courthouse, 213 1st Street, Parson, West Virginia.	
WISCONSIN	
Evansville (city), Rock County (FEMA Docket No. 7039)	
Allen Creek:	
About 0.66 mile downstream of Chicago and Northwestern Railroad	*880
Just upstream of East Main Street	*897
Just downstream of Lake Leota Dam	*902
Just upstream of Lake Leota Dam	*909
Maps available for inspection at the City Hall, 31 South Madison Street, Evansville, Wisconsin.	

Issued: February 11, 1991.

C.M. "Bud" Schauerte,

Administrator, Federal Insurance Administration.

[FR Doc. 92-6071 Filed 3-13-92; 8:45 am]

BILLING CODE 6718-03-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 13 and 80

[PR Docket No. 90-480; FCC 92-19]

Maritime Radio Services

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: Parts 13 and 80 are amended to implement the Global Maritime Distress and Safety System (GMDSS) in the Commission's Rules. The new system will ultimately change international distress communications from manual ship-to-ship system based on 500 kHz Morse code telegraphy to an automated ship-to-shore system based on satellites and digital technology. The new carriage requirements apply to cargo ships of 300 gross tons and over and passenger ships, irrespective of size, that carry more than twelve passengers that sail internationally or in the open sea. The changes do not relieve ships from the requirements specified in the Communications Act of 1934, as amended (Communications Act). Ships that carry radiotelegraphy equipment must continue to carry radio officers until the Communications Act is amended.

DATES: Effective April 15, 1992. The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 15, 1992.

FOR FURTHER INFORMATION CONTACT: Kathryn S. Hosford or Sean White, Special Services Division, Private Radio Bureau, Federal Communications Commission, Washington, DC 20554; or telephone (202) 632-7197/7175.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, PR Docket No. 90-480, adopted January 16, 1992, and released February 7, 1992.

The complete text of the Report and Order is available for inspection and copying during normal business hours in the FCC Dockets Branch (room 230), 1919 M Street NW., Washington, DC. The full text also may be purchased from the Commission's copy contractor: Downtown Copy Center, 1114 21st Street NW., Washington, DC 20037; telephone 202-452-1422.

Summary of Report and Order

1. This Report and Order sets forth the amendments that are necessary to implement international revisions to the Safety of Life at Sea (SOLAS) Convention, 1974, into the Commission's Rules. These amendments implement the Global Maritime Distress and Safety System (GMDSS) for U.S. ships that are subject to the SOLAS Convention or part II of title III of the Communications Act of 1934, as amended. These are cargo ships over 300 gross tons that sail on international voyages or in the open sea, and passenger ships regardless of size carrying more than twelve passengers that sail on international voyages or in the open sea. These ships are called "compulsory ships."

2. The new GMDSS rules do not change or cancel the distress communications requirements specified in part II of title III of the Communications Act. Ships fitting with the GMDSS must continue to carry the equipment and personnel specified by the Communications Act until such time as the Act is amended. In adopting the GMDSS provisions for U.S. vessels, the Commission stated that the GMDSS represented significant improvements for maritime safety such as, worldwide alerting, coordinated search and rescue operations, and dissemination of maritime safety information. It noted that the GMDSS provisions are mandated by the SOLAS Convention, to which the United States is signatory. Compared to a ship equipped under the current distress and safety system, the Commission found that the GMDSS will enhance a ship's ability to communicate during a distress by ensuring multiple communications options. It noted that if U.S. vessels are delayed in implementing the GMDSS, American lives and property could be at risk by perpetuating an outmoded ship-to-ship system that is rapidly being replaced by other nations. Consequently, the Commission found that early implementation of the GMDSS to be in the public interest.

3. The GMDSS differs from the current distress and safety system in several ways. First, communication equipment requirements are based primarily on the areas in which the ship operates, rather than the size of the ship. Second, the GMDSS is primarily a ship-to-shore system, designed to communicate with rescue authorities on shore, where the current system is primarily ship-to-ship. Finally, the GMDSS will ultimately replace the current manual Morse telegraphy system with satellite technology and digital selective calling (DSC) radios. This equipment uses voice and narrow-band direct printing telegraphy for communications.

4. Equipment carriage requirements under the GMDSS depend on the sea area in which the ship is operating. A sea area is established by individual countries by equipping their shore stations with appropriate mediun frequency (MF), high frequency (HF), or very high frequency (VHF), or satellite facilities to "cover" particular segments of ocean. Sea Area A1 is defined as the area within VHF radiotelephone coverage of shore stations (approximately 20-30 nautical miles from shore). Sea Area A2 is defined as the area within MF radiotelephone coverage of shore stations (approximately 75-150 nautical miles from shore). Sea Area A3 is the area within coverage of an INMARSAT geostationary satellite (approximately 70 degrees North to 70 degrees South). Sea Area A4 is the area outside of INMARSAT satellite coverage, essentially the polar seas, and it relies on HF communications.

5. The particular GMDSS equipment required for each ship varies by sea area and may have several alternatives. Depending upon the areas of the sea in which they travel, compulsory ships are required to carry digital selective calling (DSC) radiotelephones operating in the MH, HF, or VHF bands. Under the GMDSS rules, ships may also carry satellite earth stations in lieu of HF equipment. All ships must carry an emergency position-indicating radiobeacon operating on 406 MHz (406 MHz EPIRB), a NAVTEX receiver to receive maritime safety information, and a search and rescue transponder (SART) operating in the 9 GHz band. In addition to the NAVTEX receiver, most ships will also be capable of receiving maritime safety information from either the INMARSAT system or via HF narrow-band direct-printing telegraphy. The specific equipment required to set forth in the attached rules.

6. The new rules require all compulsory ships to carry a 406 MHz EPIRB and the NAVTEX receiver by August 1, 1993. The remaining GMDSS requirements become mandatory on February 1, 1995, for newly constructed compulsory ships, and February 1, 1999, for all compulsory ships. Ships may voluntarily start fitting the GMDSS as soon as equipment is authorized by the Commission for GMDSS use. Manufacturers may start applying for authorization of its equipment in accordance with the new GMDSS requirements upon the effective date of this Report and Order.

7. The Commission also established a new class of radio operator's license for the GMDSS, called the GMDSS Radio Operator's License. Under the new rules, each GMDSS ship is required to carry a licensed GMDSS radio operator who has primary responsibility for radiocommunications during distress situations, plus a second licensed GMDSS radio operator for backup purposes. The GMDSS system requires the carriage of a licensed, proficient radio operator, but the GMDSS radio operator need not be a radio officer. The GMDSS rules also permit ship owners the flexibility to choose from three methods of maintenance allowed by the SOLAS Convention: Shore-based maintenance, at-sea maintenance, and duplication of equipment. Most U.S. ships will be required to use two of these methods. The Commission concluded that at-sea maintenance was not the only means to ensure the availability of radiocommunications during a distress situation.[1] Ships which elect the at-sea maintenance option, however, must carry licensed GMDSS radio maintainers. At present, holders of the existing First and Second Class Radiotelegraph Certificates (T-1 and T-2) and the General Radiotelephone Permit (G) will function as GMDSS radio maintainers. Indicating that this is an interim measure, the Commission

[1] The Commission concluded that the three maintenance options provided by the SOLAS Convention satisfactorily address radiocommunication requirements. It noted that whether ships need additional personnel as a "general electronics technician" for maintaining non-radiocommunications equipment, is a matter under the jurisdiction of the Coast Guard.

encouraged the industry to examine this matter further and make recommendations regarding the qualification standards and licensing procedures for GMDSS radio maintainers.

8. The decisions contained herein have been analyzed with respect to the Paperwork Reduction Act of 1980 and found to contain no new information collection, recordkeeping, labeling, disclosure, or record retention requirements which will increase the burden imposed on the public. The new category of license, the GMDSS Radio Operator's License, will require the same information of applicants as the current T–1, T–2, and G licenses. The labeling requirement for GMDSS equipment will require no information collection, but merely a notation that the equipment has been type accepted by the Commission.

9. Accordingly, *It is Ordered,* pursuant to the authority contained in sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 303(r), that parts 13 and 80 of the Commission's Rules *Are Amended* as set forth below.

10. *It is further ordered* That a copy of this Report and Order be provided to the Chief Counsel for Advocacy of the Small Business Administration.

11. *It is further ordered* That this proceeding is *Terminated.*

List of Subjects

Part 13

Commercial radio operator licenses, Radio.

Part 80

Coast stations, Communications equipment, Incorporation by reference, Marine safety, Ship stations, Telegraph, Telephone.

Donna R. Searcy,

Secretary.

Amended Rules

Parts 13 and 80 of title 47 of the Code of Federal Regulations are amended as follows:

PART 13—[AMENDED]

1. The authority citation for part 13 continues to read as follows:

Authority: Secs. 4, 303, 48 Stat. 1066, 1082 as amended; 47 U.S.C. 154, 303.

2. In Section 13.2, paragraph (b)(7) is added to read as follows:

§ 13.2 Classification of operator licenses and endorsements.

* * * * *

(b) * * *

(7) GMDSS Radio Operator's License (general radio operator's certificate).

* * * * *

3. In Section 13.21, paragraph (a)(7) is added to read as follows:

§ 13.21 Examination elements.

* * * * *

(a) * * *

(7) *GMDSS operating practices.* Radio operating procedures and practices of the knowledge and qualifications enumerated below:

(i) Detailed practical knowledge of the operation of all GMDSS sub-systems and equipment;

(ii) Ability to send and receive correctly by radio telephone and narrow-band direct-printing telegraphy;

(iii) Detailed knowledge of the regulations applying to radiocommunications, knowlege of the documents relating to charges for radiocommunications and knowledge of those provisions of the International Convention for the Safety of Life at Sea which relate to radio; and

(iv) Sufficient knowledge of English to be able to express themselves satisfactorily both orally and in writing;

(v) Knowledge of and ability to perform each of the functions listed in § 80.1081 of this chapter.

(vi) Knowledge covering the requirements set forth in IMO Assembly Resolution on Training for Radio Personnel (GMDSS), Annex 3.

* * * * *

4. In Section 13.22, paragraph (b)(6) is added to read as follows:

§ 13.22 Required qualifications.

* * * * *

(b) * * *

(6) *GMDSS Radio Operator's License.* Written examinations covering elements 1, 2, and 7.

* * * * *

PART 80—STATIONS IN THE MARITIME SERVICES

5. The authority citation for part 80 continues to read as follows:

Authority: Secs. 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303, unless otherwise noted. Interpret or apply 48 Stat. 1064–1068, 1081–1105, as amended; 47 U.S.C. 151–155, 301–609; 3 UST 3450, 3 UST 4726, 12 UST 2377.

6. Part 80 is amended by adding subpart W, consisting of §§ 80.1065–80.1135, to read as follows:

* * * * *

Subpart W—Global Maritime Distress and Safety System (GMDSS)

General Provisions

80.1065 Applicability.
80.1067 Inspection of station.
80.1069 Maritime sea areas.
80.1071 Exemptions.
80.1073 Radio operator requirements for ship stations.
80.1074 Radio maintenance personnel for at-sea maintenance.
80.1075 Radio records.
80.1077 Frequencies.

Equipment Requirements for Ship Stations

80.1081 Functional requirements.
80.1083 Ship radio installations.
80.1085 Ship radio equipment—General.
80.1087 Ship radio equipment—Sea area A1.
80.1089 Ship radio equipment—Sea areas A1 and A2.
80.1091 Ship radio equipment—Sea areas A1, A2, and A3.
80.1093 Ship radio equipment—Sea areas A1, A2, A3, and A4.
80.1095 Survival craft equipment.
80.1099 Ship sources of energy.
80.1101 Performance standards.
80.1103 Equipment authorization.
80.1105 Maintenance requirements.

Operating Procedures for Distress and Safety Communications

80.1109 Distress, urgency, and safety communications.
80.1111 Distress Alerting.
80.1113 Transmission of a distress alert.
80.1115 Transmission of a distress alert by a station not itself in distress.
80.1117 Procedure for receipt and acknowledgement of distress alerts.
80.1119 Receipt and acknowledgement of distress alerts by coast stations and coast earth stations.
80.1121 Receipt and acknowledgement of distress alerts by ship stations and ship earth stations.
80.1123 Watch requirements for ship stations.
80.1125 Search and rescue coordinating communications.
80.1127 On-scene communications.
80.1129 Locating and homing signals.
80.1131 Transmissions of urgency communications.
80.1133 Transmissions of safety communications.
80.1135 Transmission of maritime safety information.

Subpart W—Global Maritime Distress and Safety System (GMDSS)

This subpart contains the rules applicable to the Global Maritime Distress and Safety System (GMDSS). Every ship of the United States subject to part II of title III of the Communications Act or the Safety Convention must comply with the provisions of this subpart. The rules in this subpart are to be read in conjunction with the applicable requirements contained elsewhere in this part; however, in case of conflict, the provisions of this subpart shall govern with respect to the GMDSS. For the purposes of this subpart, distress

and safety communications include distress, urgency, and safety calls and messages.

Note: No provision of this subpart is intended to eliminate, or in anyway modify, other requirements contained in this part with respect to part II of title III of the Communications Act.

General Provisions

§ 80.1065 Applicability.

(a) The regulations contained in § 80.1119 apply to public coast stations and coast earth stations as of February 1, 1992.

(b) The regulations contained within this subpart apply to all passenger ships regardless of size and cargo ships of 300 tons gross tonnage and upwards as follows:

(1) Ships must comply with §§ 80.1085(a)(4) and 80.1085(a)(6) not later than August 1, 1993.

(2) Ships constructed on or after February 1, 1992, must comply with § 80.1095 as of that date. All other ships must comply with § 80.1095 as of February 1, 1995.

(3) Ships constructed on or after February 1, 1995, must comply with all requirements of this subpart.

(4) Ships constructed before February 1, 1995, must comply with all requirements of this subpart as of February 1, 1999.

(5) During the period between February 1, 1992, and February 1, 1999, all ships must comply with:

(i) The requirements of this subpart;

(ii) The requirements of chapter IV of the International Convention for the Safety of Life at Sea, 1974, in force prior to February 1, 1992 (see subparts Q and R of this part); or

(iii) For ships operated solely on domestic voyages, the requirements of § 80.836.

(6) The expression "ships constructed" means "ships the keels of which are laid, or construction identificable with a specific ship begins and assembly of that ship has commenced comprising at least 50 tons gross tonnage or 1% of the estimated mass of all structural material, whichever is less.

(c) The requirements of this subpart do not modify the requirements for ships navigated on the Great Lakes or small passenger boats. The requirements contained in the Agreement Between the United States of America and Canada for Promotion of Safety on the Great Lakes by Means of Radio, 1973, continue to apply (see subpart T of this part). The requirements contained in part III of title III of the Communications Act continue to apply (see subpart S of this part).

(d) No provision in this subpart is intended to prevent the use by any ship, survival craft, or person in distress, of any means at their disposal to attract attention, make known their position and obtain help.

§ 80.1067 Inspection of station.

(a) Ships must have the required equipment inspected at least once every 12 months. If the ship is in compliance with the requirements of the Safety Convention, a Safety Certificate will be issued; if in compliance with the Communications Act, the license will be endorsed accordingly. The effective date of the ship safety certificate is the date the station is found to be in compliance or not later than one business day later.

(b) Certificates issued in accordance with the Safety Convention must be posted in a prominent and accessible place on the ship.

§ 80.1069 Maritime sea areas.

(a) For the purpose of this subpart, a ship's area of operation is defined as follows:

(1) *Sea area A1.* An area within the radiotelephone coverage of at least one VHF coast station in which continuous DSC alerting is available as defined by the International Maritime Organization.

(2) *Sea area A2.* An area, excluding sea area A1, within the radiotelephone coverage of at least one MF coast station in which continuous DSC alerting is available as defined by the International Maritime Organization.

(3) *Sea area A3.* An area, excluding sea areas A1 and A2, within the coverage of an INMARSAT geostationary satellite in which continuous alerting is available.

(4) *Sea area A4.* An area outside sea areas A1, A2 and A3.

(b) Maritime sea areas are delineated in the International Maritime Organization Publication GMDSS Master Plan of Shore-Based Facilities. The Master Plan can be purchased from the International Maritime Organization, 4 Albert Embankment, London SE1 7SR, United Kingdom.

§ 80.1071 Exemptions.

(a) In certain circumstances, partial or conditional exemptions may be granted to individual ships from the requirements of §§ 80.1085, 80.1087, 80.1089, 80.1091, and 80.1093 provided: such ships comply with the functional requirements of § 80.1081 and a showing is made that such an exemption will not have a material effect upon the general efficiency of the service for the safety of all ships.

(b) An exemption may be granted under paragraph (a) of this section only:

(1) If the conditions affecting safety are such as to render the full application of §§ 80.1085, 80.1087, 80.1089, 80.1091, and 80.1093 unreasonable or unnecessary or otherwise not in the public interest;

(2) In exceptional circumstances, for a single voyage outside the sea area or sea areas for which the ship is equipped; or

(3) Prior to February 1, 1999, when the ship will be taken permanently out of service within two years of a requirement date specified in § 80.1065.

§ 80.1073 Radio operator requirements for ship stations.

(a) Ships must carry at least two persons holding GMDSS Radio Operator's Licenses as specified in § 13.2 of this chapter for distress and safety radiocommunications purposes. The GMDSS Radio Operator's License qualifies personnel as GMDSS radio operator for the purposes of operating GMDSS radio installation, including basic equipment adjustments as denoted in knowledge requirements specified in § 13.21 of this chapter.

(1) One of the qualified GMDSS radio operators must be designated to have primary responsiblility for radiocommunications during distress incidents.

(2) A second qualified GMDSS radio operator must be designated as backup for distress and safety radiocommunications.

(b) A qualified GMDSS radio operator, and a qualified backup, as specified in paragraph (a) of this section must be:

(1) Available to act as the dedicated radio operator in cases of distress as described in § 80.1109(a);

(2) Designated to perform as part of normal routine each of the applicable communications described in § 80.1109(b);

(3) Responsible for selecting HF DSC guard channels and receiving scheduled maritime safety information broadcasts;

(4) Designated to perform communications described in § 80.1109(c);

(5) Responsible for ensuring that the watches required by § 80.1123 are properly maintained; and

(6) Responsible for ensuring that the ship's navigation position is entered, either manually or automatically through a navigation receiver, into all installed DSC equipment at least every four hours while the ship is underway.

§ 80.1074 Radio maintenance personnel for at-sea maintenance.

(a) Ships that elect the at-sea option for maintenence of GMDSS equipment

(see § 80.1105) must carry at least one person who qualifies as a GMDSS radio maintainer, as specified in paragraph (b) of this section, for the maintenance and repair of equipment specified in this subpart. This person may be, but need not be, the person designated as GMDSS radio operator as specified in § 80.1073.

(b) The following licenses qualify personnel as GMDSS radio maintainers to perform at-sea maintenance of equipment specified in this subpart. For the purposes of this subpart, no order is intended by this listing or the alphanumeric designator.

(1) T–1: First Class Radiotelegraph Operator's Certificate;

(2) T–2: Second Class Radiotelegraph Operator's Certificate;

(3) G: General Radiotelephone Operator License.

(c) While at sea, all adjustments of radio installations, servicing, or maintenance of such installations that may affect the proper operation of the GMDSS station must be performed by, or under the immediate supervision and responsibility of, a qualified GMDSS radio maintainer as specified in paragraph (b) of this section.

(d) The GMDSS radio maintainer must possess the knowledge covering the requirements set forth in IMO Assembly on Training for Radio Personnel (GMDSS), Annex 5 and IMO Assembly on Radio Maintenance Guidelines for the Global Maritime Distress and Safety System related to Sea Areas A3 and A4.

§ 80.1075 Radio records.

A record must be kept, as required by the Radio Regulations and § 80.409 (a), (b) and (e), of all incidents connected with the radiocommunication service which appear to be of importance to safety of life at sea.

§ 80.1077 Frequencies.

The following table describes the frequencies used in the Global Maritime Distress and Safety System:

Alerting:	
406 EPIRBs	406–406.1 MHz (Earth-to-space). 1544–1545 MHz (space-to-Earth).
INMARSAT A or C SES.	1626.5–1645.5 MHz (Earth-to-space).
VHF DSC Ch. 70	156.525 MHz [1].
MF/HF DSC [2]	2187.5 kHz [3], 4207.5 kHz, 6312 kHz, 8414.5 kHz, 12577 kHz, and 16804.5 kHz.
On-scene communications:	
VHF Ch. 16	156.8 MHz.
MF radiotelephony.	2182 kHz.
NBDP	2174.5 kHz.
Communications involving aircraft:	
On-scene, including search and rescue.	156.8 MHz [4], 121.5 MHz [5], 123.1 MHz, 156.3 MHz, 2182 kHz, 3023 kHz, 4125 kHz, and 5680 kHz [6].
Locating signals:	
406 MHz EPIRB beacons.	121.5 MHz.
9 GHz radar transponders.	9200–9500 MHz.
Maritime safety information (MSI):	
International NAVTEX.	518 kHz [7].
Warnings	490 kHz [8], 4209.5 kHz [9].
NBDP	4210 kHz, 6314 kHz, 8416.5 kHz, 12579 kHz, 16806.5 kHz, 19680.5 kHz, 22376 kHz, 26100.5 kHz.
Satellite	1530–1545 MHz (space-to-Earth) [10].
General distress and safety communications and calling:	
Satellite	1530–1544 MHz (space-to-Earth) and 1626.5–1645.5 (Earth-to-space) [10].
Radiotelephony	2182 kHz, 4125 kHz, 6215 kHz, 8291 kHz, 12290 kHz, 16420 kHz, and 156.8 MHz.
NBDP	2174.5 kHz, 4177.5 kHz, 6268 kHz, 8376.5 kHz, 12520 kHz, and 16695 kHz.
DSC	2187.5 kHz, 4207.5 kHz, 6312 kHz, 8414.5 kHz, 12577 kHz, 16804.5 kHz, and 156.525 MHz.
Survival craft:	
VHF radiotelephony.	156.8 MHz and one other 156–174 MHz frequency.
9 GHz radar transponders.	9200–9500 MHz.

[1] Frequency 156.525 MHz can be used for ship-to-ship alerting and, if within sea area A1, for ship-to-shore alerting.

[2] For ships equipped with MF/HF equipment, there is a watch requirement on 2187.5 kHz, 8414.5 kHz, and one other frequency.

[3] Frequency 2187.5 kHz can be used for ship-to-ship alerting and, if within sea areas A2, for ship-to-shore alerting.

[4] Frequency 156.8 MHz may also be used by aircraft for safety purposes only.

[5] Frequency 121.5 MHz may be used by ships for aeronautical distress and urgency purposes.

[6] The priority of use for ship-aircraft communications in 4125 kHz, then 3023 kHz. Additionally, frequencies 123.1 MHz, 3023 kHz, and 5680 kHz can be used by land stations engaged in coordinated search and rescue operations.

[7] The international NAVTEX frequency 518 kHz is the primary frequency for receiving maritime safety information. The other frequencies are used only to augment the coverage or information provided on 518 kHz.

[8] Frequency 490 kHz cannot be used for MSI employing NBDP transmissions until February 2, 1999.

[9] Frequency 4209.5 kHz is not used in the United States (see 47 CFR 2.105 footnote 520A).

[10] In addition to EPIRBs, 1544–1545 MHz can be used for narrowband distress and safety operations and 1645.5–1646.5 MHz can be used for relay of distress alerts between satellites. Feeder links for satellite communications are assigned from the fixed satellite service, see 47 CFR 2.106.

Equipment Requirements for Ship Stations

§ 80.1081 Functional requirements.

Ships, while at sea, must be capable:

(a) Except as provided in §§ 80.1087(a)(1) and 80.1091(a)(4)(iii), of transmitting ship-to-shore distress alerts by at least two separate and independent means, each using a different radiocommunication service;

(b) Of receiving shore-to-ship distress alerts;

(c) Of transmitting and receiving ship-to-ship distress alerts;

(d) Of transmitting and receiving search and rescue co-ordinating communications;

(e) Of transmitting and receiving on-scene communications;

(f) Of transmitting and receiving signals for locating;

(g) Of transmitting and receiving maritime safety information;

(h) Of transmitting and receiving general radiocommunications to and from shore-based radio sytsems or networks; and

(i) Of transmitting and receiving bridge-to-bridge communications.

§ 80.1083 Ship radio installations.

(a) Ships must be provided with radio installations capable of complying with the functional requirements prescribed by § 80.1081 throughout its intended voyage and, unless exempted under § 80.1071, complying with the requirements of § 80.1085 and, as appropriate for the sea area of areas through which it will pass during its intended voyage, the requirements of either §§ 80.1087, 80.1089, 80.1091, or 80.1093.

(b) The radio installation must:

(1) Be so located that no harmful interference of mechanical, electrical or other origin affects its proper use, and so as to ensure electromagnetic compatibility and avoidance of harmful interaction with other equipment and systems;

(2) Be so located as to ensure the greatest possible degree of safety and operational availability;

(3) Be protected against harmful effects of water, extremes of temperature and other adverse environmental conditions;

(4) Be provided with reliable, permanently arranged electrical lighting, independent of the main and emergency sources of electrical power, for the adequate illumination of the radio controls for operating the radio installation; and

(5) Be clearly marked with the call sign, the ship station identity and other codes as applicable for the use of the radio installation.

(c) Control of the VHF radiotelephone channels required for navigational safety must be immediately available on the navigating bridge convenient to the conning position and, where necessary,

facilities should be availalbe to permit radiocommunications from the wings of the navigating bridge. Portable VHF equipment may be used to meet the latter provision.

§ 80.1085 Ship radio equipment—General.

This section contains the general equipment requirements for all ships subject to this subpart.

(a) Ships must be provided with:

(1) A VHF radio installation capable of transmitting and receiving:

(i) DSC on the frequency 156.525 MHz (channel 70), and it must be able to initiate the transmission of distress alerts on channel 70 from the position from which the ship is normally navigated; and

(ii) Radiotelephony on the frequencies 156.300 MHz (channel 6), 156.650 MHz (channel 13), and 156.800 MHz (channel 16);

(2) A dedicated, non-scanning radio installation capable of maintaining a continuous DSC watch on VHF channel 70 which may be separate from, or combined with, that required by paragraph (a)(1)(i) of this section;

(3) A radar transponder capable of operating in the 9 GHz bank, which must be stowed so that it is easily utilized (this transponder may be one of those required by § 80.1095(b) for a survival craft);

(4) A receiver capable of receiving international NAVTEX service broadcasts;

(5) If the ship is engaged on voyages in any area of INMARSAT coverage in which an international NAVTEX service is not provided, a radio facility for reception of maritime safety information by the INMARSAT enhanced group calling system, *i.e.*, SafetyNet, (this requirement does not apply to ships engaged exclusively on voyages in areas where an HF direct-printing telegraphy maritime safety information service, as identified by the IMO GMDSS Master Plan Publication, is provided and the ship is fitted with equipment capable of receiving such service); and

(6) A satellite emergency position-indicating radio beacon (satellite EPIRB) which must be:

(i) Capable of transmitting a distress alert through the polar orbiting satellite service operating in the 406 MHz band (406 MHz EPIRB); and

(ii) Installed in an easily accessible position, ready to be manually released and capable of being carried by one person into a survival craft, capable of floating free if the ship sinks and of being automatically activated when afloat, and capable of being activated manually.

(b) Until February 1, 1999, all ships must be equipped with a radio installation consisting of a radiotelephone distress frequency 2182 kHz watch receiver prescribed by § 80.807. This requirement does not apply to ships constructed on or after February 1, 1997.

(c) Until February 1, 1999, all ships, except ships engaged on voyages in sea area A1 only, must be equipped with a device for generating the 2182 kHz radiotelephone alarm signal as prescribed by § 80.807. This requirement does not apply to ships constructed on or after February 1, 1997.

(d) Ships must carry the most recent edition of the IMO publication entitled *GMDSS Master Plan of Shore-Based Facilities*. Notice of new editions will be published in the **Federal Register** and copies may be obtained from: International Maritime Organization, 4 Albert Embankment, London SE1 7SR, United Kingdom.

§ 80.1087 Ship radio equipment—Sea area A1.

This section contains the additional equipment requirements for ships that remain within sea area A1 at all times.

(a) In addition to meeting the requirements of § 80.1085, ships engaged on voyages exclusively in sea area A1 must be provided with a radio installation capable of initiating the transmission of ship-to-shore distress alerts from the position from which the ship is normally navigated, operating either:

(1) On VHF using DSC; or

(2) Through the polar orbiting satellite service on 406 MHz (this requirement may be fulfilled by the 406 MHz EPIRB, required by § 80.1085(a)(6), either by installing the 406 MHz EPIRB close to, or by allowing remote activation from, the position from which the ship is normally navigated); or

(3) On MF using DSC if the ship is engaged on voyages within coverage of MF coast stations equipped with DSC; or

(4) On HF using DSC; or

(5) Through the INMARSAT geostationary satellite service if within INMARSAT coverage. This requirement may be fulfilled by an INMARSAT ship earth station capable of two way communication.

(b) The VHF radio installation, required by § 80.1085(a)(1), must also be capable of transmitting and receiving general radiocommunications using radiotelephony.

§ 80.1089 Ship radio equipment—Sea areas A1 and A2.

This section contains the additional equipment requirements for ships that remain within sea areas A1 or A2 at all times. Ships fitting in accordance with this section satisfy the sea area A1 requirements denoted in § 80.1087.

(a) In addition to meeting the requirements of § 80.1085, ships engaged on voyages beyond sea area A1, but remaining within sea area A2, must be provided with:

(1) An MF radio installation capable of transmitting and receiving, for distress and safety purposes, on the frequencies:

(i) 2187.5 kHz using DSC; and

(ii) 2182 kHz using radiotelephony;

(2) A radio installation capable of maintaining a continuous DSC watch on the frequency 2187.5 kHz which may be separate from or combined with, that required by paragraph (a)(1)(i) of this section; and

(3) Means of initiating the transmission of ship-to-shore distress alerts by a radio service other than MF operating either:

(i) Through the polar orbiting satellite service on 406 MHz (this requirement may be fulfilled by the 406 MHz EPIRB required by § 80.1085(a)(6), either by installing the 406 MHz EPIRB close to, or by allowing remote activation from, the position from which the ship is normally navigated); or

(ii) On HF using DSC; or

(iii) Through the INMARSAT geostationary satellite service if within INMARSAT coverage; this requirement may be fulfilled by an INMARSAT ship earth station.

(b) It must be possible to initiate transmission of distress alerts by the radio installations specified in paragraphs (a)(1) and (a)(3) of this section from the position from which the ship is normally navigated.

(c) Ships subject to this section must be capable of transmitting and receiving general radiocommunications using radiotelephony or direct-printing telegraphy by either:

(1) A radio installation operating on working frequencies in the bands between 1605–4000 kHz or between 4000–27500 kHz (this requirement may be fulfilled by the addition of this capability to the equipment required by paragraph (a)(1) of this section); or

(2) An INMARSAT ship earth station.

§ 80.1091 Ship radio equipment—Sea areas A1, A2, and A3.

This section contains the additional equipment requirements for ships that remain within sea areas A1, A2, or A3 at

all times. Ships fitting in accordance with this section satisfy the requirements denoted in §§ 80.1087 or 80.1089 for sea-areas A1 and A2. Ships fitting in accordance to this section have the option to comply with either the requirements of paragraph (a) or (b) of this section.

(a) In addition to meeting the requirements of § 80.1085, ships subject to this section must be provided with:

(1) An INMARSAT ship earth station capable of:

(i) Transmitting and receiving distress and safety communications using direct-printing telegraphy;

(ii) Initiating and receiving distress priority calls;

(iii) Maintaining watch for shore-to-ship distress alert, including those directed to specifically defined geographical areas;

(iv) Transmitting and receiving general radiocommunications, using either radiotelephony or direct-printing telegraphy; and

(2) An MF radio installation capable of transmitting and receiving, for distress and safety purposes, on the frequencies:

(i) 2187.5 kHz using DSC; and

(ii) 2182 kHz using radiotelephony; and

(3) A radio installation capable of maintaining a continuous DSC watch on the frequency 2187.5 kHz which may be separate from or combined with that required by paragraph (a)(2)(i) of this section; and

(4) Means of initiating the transmission of ship-to-shore distress alerts by a radio service operating either:

(i) Through the polar orbiting satellite service on 406 MHz (this requirement may be fulfilled by the 406 MHz EPIRB required by § 80.1085(a)(6), either by installing the 406 MHz EPIRB close to, or by allowing remote activation from, the position from which the ship is normally navigated); or

(ii) On HF using DSC: or

(iii) Through the INMARSAT geostationary satellite service, by an additional ship earth station.

(b) In addition to meeting the requirements of § 80.1085, ships subject to this section must be provided with:

(1) An MF/HF radio installation capable of transmitting and receiving on all distress and safety frequencies in the bands between 1605–27500 kHz using DSC, radiotelephony, and narrow-band direct-printing telegraphy; and

(2) Equipment capable of maintaining DSC watch on 2187.5 kHz, 8414.5 kHz and on at least one of the distress and safety DSC frequencies 4207.5 kHz, 6312 kHz, 12577 kHz, or 16804.5 kHz although it must be possible to select any of these DSC distress and safety frequencies at any time (this equipment may be separate from, or combined with, the equipment required by paragraph (b)(1) of this section); and

(3) Means of initiating the transmission of ship-to-shore distress alerts by a radiocommunication service other than HF operating either:

(i) Through the polar orbiting satellite service on 406 MHz (this requirement may be fulfilled by the 406 MHz EPIRB required by § 80.1085(a)(6), either by installing the 406 MHz EPIRB close to, or by allowing remote activation from, the position from which the ship is normally navigated; or

(ii) Through the INMARSAT geostationary satellite service (this requirement may be fulfilled by an INMARSAT ship earth station).

(4) In addition, ships must be capable of transmitting and receiving general radiocommunications using radiotelephony or direct-printing telegraphy by an MF/HF radio installation operating on working frequencies in the bands between 1605–4000 kHz and between 4000–27500 kHz (this requirement may be fulfilled by the addition of this capability to the equipment required by paragraph (b)(1) of this section).

(c) It must be possible to initiate transmission of distress alerts by the radio installations specified in paragraphs (a)(1), (a)(2), (a)(4), (b)(1), and (b)(3) of this section from the position from which the ship is normally navigated.

§ 80.1093 Ship radio equipment—Sea areas A1, A2, A3 and A4.

This section contains the additional equipment requirements for ships that sail in all sea areas, *i.e.*, sea areas A1, A2, A3, and A4. Ships fitting in accordance with this section satisfy the requirements denoted in §§ 80.1087, 80.1089, and 80.1091 for sea areas A1, A2, and A3.

(a) In addition to meeting the requirements of § 80.1085, ships engaged on voyages in all sea areas must be provided with the radio installations and equipment required by § 80.1091(b), except that the equipment required by § 80.1091(b)(3)(ii) cannot be accepted as an alternative to that required by regulation § 80.1091(b)(3)(i), which must always be provided.

(b) Ships engaged on voyages in all sea areas also must comply with the requirements of § 80.1091(c).

§ 80.1095 Survival craft equipment.

(a) At least three two-way VHF radiotelephone apparatus must be provided on every passenger ship and on every cargo ship of 500 tons gross tonnage and upwards. At least two two-way VHF radiotelephone apparatus must be provided on every cargo ship of between 300–500 tons gross tonnage. Portable two-way VHF radiotelephones must be stowed in such locations that they can be rapidly placed in any survival craft other than liferafts required by Regulation III/26.1.4 of the SOLAS Convention. Alternatively, survival craft may be fitted with a fixed two-way VHF radiotelephone installation. Two-way VHF radiotelephone apparatus, portable or fixed, must conform to performance standards as specified in § 80.1101. Two-way VHF radiotelephone apparatus provided on board ships prior to February 1, 1992, and not complying fully with the performance standards specified in § 80.1101, may be used until February 1, 1999, provided it is compatible with approved two-way VHF radiotelephone apparatus.

(b) At least one radar transponder must be carried on each side of every passenger ship and every cargo ship of 500 tons gross tonnage and upwards. At least one radar transponder must be carried on every cargo ship of 300 tons gross tonnage and upwards but less than 500 tons gross tonnage. Such radar transponders must conform to performance standards as specified in § 80.1101. The radar transponders must be stowed in such locations that they can be rapidly placed in any survival craft other than liferafts required on cargo ships in forward and aft areas (see Regulation III/26.1.4 of the SOLAS Convention). Alternatively, one radar transponder must be stowed in each survival craft other than those required by Regulation III/26.1.4 of the SOLAS Convention. One of these radar transponders may be radar transponder required by § 80.1085(a)(3).

(c) Survival craft equipment must be tested at intervals not to exceed twelve months. For batteries used for survival craft equipment, the month and year of its manufacture must be permanently marked on the battery. Also, the month and year upon which 50 percent of its useful life will expire must be permanently marked on both the battery and the outside of the transmitter. Batteries must be replaced if 50 percent of their useful life has expired or if the transmitter has been used in an emergency situation.

§ 80.1099 Ship sources of energy.

(a) There must be available at all times, while the ship is at sea, a supply of electrical energy sufficient to operate

the radio installations and to charge any batteries used as part of a reserve source of energy for the radio installations.

(b) A reserve source of energy to supply radio installations must be provided on every ship for the purpose of conducting distress and safety radiocommunications, in the event of failure of the ship's main and emergency sources of electrical power. The reserve sources of energy must be capable of simultaneously operating the VHF radio installation required by § 80.1085(a)(1) and, as appropriate for the sea area or sea areas for which the ship is equipped, either the MF radio installation required by § 80.1089(a)(1), the MF/HF radio installation required by §§ 80.1091(a)(2)(i) or 80.1093(a), or the INMARSAT ship earth station required by § 80.1091(a)(1) and any of the additional loads mentioned in paragraphs (d), (e) and (h) of this section for a period of at least:

(1) One hour, on ships constructed on or after February 1, 1995;

(2) One hour, on ships constructed before February 1, 1995, if the emergency source of electrical power complies fully with all relevant requirements of SOLAS, Chapter II–1, Regulation 42 or 43 (as amended); or

(3) Six hours, on ships constructed before February 1, 1995, and on cargo ships of less than 500 tons gross tonnage, if the emergency source of electrical power is not provided or does not comply fully with all relevant requirements of SOLAS, Chapter II–1, Regulation 42 or 43 (as amended).

(c) The reserve sources of energy need not supply independent HF and MF radio installations at the same time. The reserve sources of energy must be independent of the propelling power of the ship and the ship's electrical system.

(d) Where, in addition to the VHF radio installation, two or more of the other radio installations, referred to in paragraph (b) of this section, can be connected to the reserve sources of energy, they must be capable of simultaneously supplying, for one hour, as specified in paragraph (b) of this section, the VHF radio installation and:

(1) All other radio installations which can be connected to the reserve sources of energy at the same time; or

(2) Whichever of the other radio installations will consume the most power, if only one of the other radio installations can be connected to the reserve sources of energy at the same time as the VHF radio installation.

(e) The reserve sources of energy may be used to supply the electrical lighting required by § 80.1083(b)(4).

(f) Where a reserve source of energy consists of a rechargeable accumulator battery or batteries:

(1) A means of automatically charging such batteries must be provided which must be capable of recharging them to minimum capacity requirements within 10 hours; and

(2) The capacity of the battery or batteries must be checked, using an appropriate method, at intervals not exceeding 12 months. These checks must be performed when the vessel is not at sea.

(g) The accumulator batteries which provide a reserve source of energy must be installed to ensure: The highest degree of service, a reasonable lifetime, reasonable safety; that the battery temperatures remain within the manufacturer's specifications whether under charge or idle; and that when fully charged, the batteries will provide at least the minimum required hours of operation under all weather conditions.

(h) If an uninterrupted input of information from the ship's navigational or other equipment to a radio installation required by this subpart is needed to ensure its proper performance, means must be provided to ensure the continuous supply of such information in the event of failure of the ship's main or emergency source of electrical power.

(i) An uninterruptible power supply or other means of ensuring a continuous supply of electrical power, within equipment tolerances, shall be provided to all GMDSS equipment that could be affected by normal variations and interruptions of ship's power.

§ 80.1101 Performance standards.

(a) The abbreviations used in this section are as follows:

(1) International Maritime Organization (IMO).

(2) International Telegraph and Telephone Consultative Committee (CCITT).

(3) International Electrotechnical Commission (IEC).

(4) International Organization for Standardization (ISO).

(5) International Radio Consultative Committee (CCIR).

(b) All equipment specified in this subpart must meet the general requirements for shipboard equipment as listed below which are incorporated by reference.

(1) IMO Resolution A.694(17), "General Requirements for Shipborne Radio Equipment Forming Part of the Global Maritime Distress and Safety System (GMDSS) and for Electronic Navigational Aids," adopted 6 November 1991.

(2) CCITT Recommendation E.161, "Arrangement of Figures, Lettters and Symbols on Telephones and Other Devices that Can Be Used for Gaining Access to a Telephone Network," 1989.

(3) CCITT Recommendation Q.11, "Numbering Plan for the International Telephone Service," 1989.

(4) IEC Publication 92–101, "Electrical Installations in Ships," Third Edition 1980 with amendments through 1984.

(5) IEC Publication 533, "Electromagnetic Compatibility of Electrical and Electronic Installations in Ships," First Edition 1977.

(6) IEC Publication 945, "Marine Navigational Equipment," First Edition 1988.

(7) ISO Standard 3791, "Office Machines and Data Processing Equipment—Keyboard Layouts for Numeric Applications," First Edition 1976(E).

(c) The equipment specified in this subpart must also conform to the appropriate performance standards listed below which are incorporated by reference.

(1) *NAVTEX receivers*: (i) IMO Resolution A.525(13), "Performance Standards for Narrow-band Direct Printing Telegraph Equipment for the Reception of Navigational and Meteorological Warnings and Urgent Information to Ships," adopted 17 November 1983.

(ii) CCIR Recommendation 540–2, "Operational and Technical Characteristics for an Automated Direct-printing Telegraph System for Promulgation of Navigational and Meteorological Warnings and Urgent Information to Ships," 1990.

(2) *VHF radio equipment*: (i) IMO Resolution A.609(15), "Performance Standards for Shipborne VHF Radio Installations Capable of Voice Communication and Digital Selective Calling," adopted 19 November 1987.

(ii) CCIR Recommendation 493–4, "Digital Selective-calling System for use in the Maritime Mobile Service," 1990.

(3) *MF radio equipment*: (i) IMO Resolution A.610(15), "Performance Standards for Shipborne MF Radio Installations Capable of Voice Communication and Digital Selective Calling," adopted 19 November 1987.

(ii) CCIR Recommendation 493–4, "Digital Selective-calling System for use in the Maritime Mobile Service," 1990.

(4) *MF/HF radio equipment*: (i) IMO Resolution A.613(15), "Performance Standards for Shipborne MF/HF Radio Installations capable of Voice Communication, Narrow-band Direct Printing and Digital Selective Calling," adopted 19 November 1987.

(ii) CCIR Recommendations 493–4, "Digital Selective-calling System for use in the Maritime Mobile Service," 1990.

(iii) CCIR Recommendation 625–1, "Direct-printing Telegraph Equipment Employing Automatic Identification in the Maritime Mobile Service," 1990. Equipment may conform to CCIR Recommendation 476–4, "Direct-Printing Telegraph Equipment in the Maritime Mobile Service," 1986, in lieu of CCIR Recommendation 625–1, where such equipment was installed on ships prior to February 1, 1993.

(5) *406 MHz EPIRBs*:

(i) IMO Resolution A.611(15), "Performance Standards for Float-free Satellite Emergency Position-indicating Radio Beacons Operating on 406 MHz," adopted 19 November 1987.

(ii) IMO Resolution A.662(16), "Performance Standards for Float-free Release and Activation Arrangements for Emergency Radio Equipment," adopted 19 October 1989.

(iii) CCIR Recommendation 633–1, "Transmission Characteristics of a Satellite Emergency Position-indicating Radiobeacon (Satellite EPIRB) System Operating Through a Low Polar-orbiting Satellite System in the 406 MHz Band," 1990.

(iv) The 406 MHz EPIRBs must also comply with § 80.1061.

(6) *9 GHz radar transponders*: (i) IMO Resolution A.604(15), "Performance Standards for Survival Craft Radar Transponders for Use in Search and Rescue Operations," adopted 19 November 1987.

(ii) CCIR Recommendation 628–1, Technical Characteristics for Search and Rescue Radar Transponders," 1990.

(7) *Two-way VHF radiotelephone.* IMO Resolution A.605(15), "Performance Standards for Survival Craft Two-way VHF Radiotelephone Apparatus," adopted 19 November 1987.

(8) *INMARSAT–A SES:* (i) IMO Resolution A.698(17), "Performance Standards for Ship Earth Stations Capable of Two-way Communications," adoted 6 November 1991.

(ii) CCIR Recommendation 493–4, "Digital Selective-calling System for use in the Maritime Mobile Service," 1990.

(9) *INMARSAT–C SES:* (i) IMO Resolution A.663(16), "Performance Standards for INMARSAT Standard–C Ship Earth Stations Capable of Transmitting and Receiving Direct-printing Communications," adopted 19 October 1989.

(ii) CCIR Recommendation 493–4, "Digital Selective-calling System for use in the Maritime Mobile Service," 1990.

(10) *INMARSAT EGC:* IMO Resolution A.664(16), "Performance Standards for Enhanced Group Call Equipment," adopted 19 October 1989.

(d) The above-referenced documents have been approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Identification data and place to purchase for each of the above-referenced documents are listed as follows:

(1) Copies of IMO Resolutions, the 1974 SOLAS Convention, and the 1983 and 1988 amendments to the 1974 SOLAS Convention can be purchased from Publications, International Maritime Organization, 4 Albert Embankment, London SE1 7SR, United Kingdom.

(i) IMO Resolution A.525(13) is contained in the Resolutions and Other Decisions of the Assembly of the International Maritime Organization, 13th Session, 1983, (IMO, London, 1984), Sales Number 073 84.07.E.

(ii) IMO Resolutions A.604(15), A.605(15), A.609(15), A.610(15), A.611(15) and A.613(15) are contained in the Resolutions and Other Decisions of the Assembly of the International Maritime Organization, 15th Session, 1987, (IMO, London, 1988), Sales Number 130 88.03.E.

(iii) IMO Resolutions A.662(16), A.663(16) and A.664(16) are contained in the Resolutions and Other Decisions of the Assembly of the International Maritime Organization, 16th Session, 1989, (IMO, London, 1990), Sales Number 136 90.04.E.

(iv) IMO Resolutions A.694(17) and A.698(17) can be ordered from IMO by requesting "A.694 and A.698 from the seventeenth session" until they are published in the Resolutions and Other Decisions of the Assembly of the International Maritime Organization, 17th Session, 1991.

(2) CCIR Recommendations, ITU Radio Regulations, and CCITT publications can be purchased from the International Telecommunications Union (ITU), Place des Nations, CH–1211 Geneva 20, Switzerland.

(i) All CCIR Recommendations referenced in this Section are contained in Recommendations of the CCIR, 1990, Volume VIII, (ITU, Geneva, 1990), 92–61–0424104.

(ii) CCITT Recommendation E.161 is contained in CCITT Volume II—Telephone and Network ISDN—Operation, Numbering, Routing and Mobile Service, (ITU, Geneva, 1989), ISBN 92–61–03261–3.

(iii) CCITT Recommendation Q.11 is contained in CCITT Blue Book Volume VI, General Recommendation on Telephone Switching and Signalling, (ITU, Geneva, 1989), ISBN 92–61–03451–9.

(3) IEC Publications can be purchased from the International Electrotechnical Commission, 3 Rue de Varembe, CH–1211 Geneva 20, Switzerland, or from the American National Standards Institute (ANSI), 11 West 42nd Street, New York, NY 10036, telephone (212) 642–4900.

(4) ISO Standards can be purchased from the International Organization for Standardization, 1 Rue de Varembe, CH–1211 Geneva 20, Switzerland, or from the American National Standards Institute (ANSI), 11 West 42nd Street, New York, NY 10036, telephone (212) 642–4900.

(5) Copies of the publications listed in this Section that are incorporated by reference may be inspected at the Federal Communications Commission, 1919 M Street NW, Dockets Branch (Room 239), Washington, DC. or at the Office of the Federal Register, 1100 L Street, NW., room 8401, Washington, DC.

§ 80.1103 Equipment authorization.

(a) All equipment specified § 80.1101(b) must be type accepted in accordance with 47 CFR part 2, except equipment used in the INMARSAT space segment. Equipment intended for use in the INMARSAT space segment must be type-approved by INMARSAT and notified in accordance with 47 CFR part 2. The technical parameters of the equipment must conform to the performance standards as specified in § 80.1101.

(b) Applicants for type acceptance must submit with their applications measurement data sufficiently complete to ensure compliance with the technical parameters. The application must include the items listed in 47 CFR 2.983. Additional measurement data or information may be requested depending upon the equipment. For items not listed in § 2.983 of this chapter, the applicant must attest that the equipment complies with performance standards as specified in § 80.1101 and, where applicable, that measurements have been made that demonstrate the necessary compliance. Submission of representative data demonstrating compliance is not required unless requested by the Commission.

(c) Applicants for notification must attest that the equipment complies with performance standards as specified in § 80.1101 and, where applicable, that measurements have been made that demonstrate the necessary compliance. Submission of representative data demonstrating compliance is not

required unless requested by the Commission. An application must include the items listed in § 2.975 of this chapter and a copy of the INMARSAT type approval certificate indicating that equipment meets GMDSS standards and includes all peripheral equipment associated with the specific unit under review.

(d) Submission of a sample unit is not required unless specifically requested by the Commission.

(e) In addition to the requirements in part 2 of this chapter, equipment specified in § 80.1101(b) shall be labelled as follows: "This device complies with the GMDSS provisions of Part 80 of the FCC Rules."

§ 80.1105 Maintenance requirements.

(a) Equipment must be so designed that the main units can be replaced readily, without elaborate recalibration or readjustment. Where applicable, equipment must be constructed and installed so that it is readily accessible for inspection and on-board maintenance purposes. Adequate information must be provided to enable the equipment to be properly operated and maintained (see IMO Resolution A.569(14)).

(b) Radio equipment required by this subpart must be maintained to provide the availability of the functional requirements specified in § 80.1081 and to meet the performance standards specified in § 80.1101.

(c) On ships engaged on voyages in sea areas A1 and A2, the availability must be ensured by duplication of equipment, shore-based maintenance, or at-sea electronic maintenance capability, or a combination of these.

(d) On ships engaged on voyages in sea areas A3 and A4, the availability must be ensured by using a combination of at least two of the following methods: duplication of equipment, shore-based maintenance, or at-sea electronic maintenance capability.

(e) Irrespective of the maintenance methods used, a ship must not depart from any port unless and until the ship is capable of performing all distress and safety functions as specified in § 80.1081.

(f) Irrespective of the maintenance methods used, all manufacturers' instruction manuals and maintenance manuals for each piece of equipment required and installed must be available on-board ship. Adequate tools, spare parts, and test equipment appropriate to the methods used by the ship as recommended by the manufacturer should be provided. The manuals, tools, spare parts, and test equipment, as applicable, should be readily accessible.

(g) If the duplication of equipment maintenance method is used, the following radio installations, in addition to other equipment requirements specified in this subpart, must be available on-board ships for their sea areas as applicable. Equipment carried in accordance with this paragraph must comply with §§ 80.1101 and 80.1103. Additionally, each radio installation must be connected to a separate antenna and be installed and be ready for immediate operation.

(1) Ships, equipped in accordance with § 80.1087 for sea area A1, must carry a VHF radio installation complying with the requirements of § 80.1085(a)(1).

(2) Ships, equipped in accordance with § 80.1089 for sea areas A1 and A2, must carry a VHF radio installation complying with the requirements of § 80.1085(a)(1) and an MF radio installation complying with the requirements of § 80.1089(a)(1) and being able to fully comply with watch requirements as specified in § 80.1123(a)(2). The MF radio installation installed for duplication must also comply with the requirements § 80.1089(c).

(3) Ships, equipped in accordance with § 80.1091 for sea areas A1, A2, and A3, must carry a VHF radio installation complying with the requirements of § 80.1085(a)(1) and either an MF/HF radio installation complying with the requirements of § 80.1091(b)(1) and being able to fully comply with watch requirements as specified in § 80.1123(a)(2) or an INMARSAT ship earth station complying with the requirements of § 80.1091(a)(1). The MF/HF radio installation or the INMARSAT ship earth station installed for duplication must also comply with the requirements § 80.1091(c).

(4) Ships, equipped in accordance with § 80.1093 for sea areas A1, A2, A3, and A4, must carry a VHF radio installation complying with the requirement of § 80.1085(a)(1) and an MF/HF radio installation complying with the requirements of § 80.1091(b)(1) and being able to fully comply with watch requirements as specified in § 80.1123(a)(2). The MF/HF radio installation installed for duplication must also comply with the requirements § 80.1091(c).

(h) The radio installations specified in paragraph (g) of this section (referred as "duplicated equipment"), in addition to the appropriate radio equipment specified in § 80.1099 (referred as "basic equipment"), must be connected to the reserve sources of energy required by § 80.1099. The capacity of the reserve sources of energy should be sufficient to operate the particular installation (*i.e.*, the basic equipment or the duplicated equipment) with the highest power consumption, for the appropriate period specified in § 80.1099. However, the arrangement for the reserve sources of energy must be such that a single fault in this arrangement cannot affect both the basic and the duplicated equipment.

(i) If the shore-based maintenance method is used, the following requirements apply.

(1) Maintenance services must be completed and performance verified and noted in the ship's record before departure from the first port of call entered after any failure occurs.

(2) Each GMDSS equipment must be tested and performance verified and the results noted in the ship's record before departure from every port. To accomplish this, each ship shall carry a performance checkoff sheet listing each GMDSS equipment carried on a mandatory basis.

(j) If the at-sea maintenance method is used, the following requirements apply.

(1) Adequate additional technical documentation, tools, test equipment, and spare parts must be carried on-board ship to enable a qualified maintainer as specified in § 80.1074 to perform tests and localize and repair faults in the radio equipment.

(2) Only persons that comply with the requirements of § 80.1074 may perform at-sea maintenance on radio installations required by this subpart.

Operating Procedures for Distress and Safety Communications

§ 80.1109 Distress, urgency, and safety communications.

(a) Distress traffic consists of all messages relating to the immediate assistance required by the ship in distress, including search and rescue communications and on-scene communications. Distress traffic must as far as possible be on the frequencies contained in § 80.1077.

(b) Urgency and safety communications include: navigational and meteorological warnings and urgent information; ship-to-ship safety navigation communications; ship reporting communications; support communications for search and rescue operations; other urgency and safety messages and communications relating to the navigation, movements and needs of ships and weather observation messages destined for an official meteorological service.

(c) Intership navigation safety communications are those VHF radiotelephone communications conducted between ships for the

purpose of contributing to the safe movement of ships. The frequency 156.650 MHz is used for intership navigation safety communications (see § 80.1077).

§ 80.1111 Distress alerting.

(a) The transmission of a distress alert indicates that a mobile unit or person is in distress and requires immediate assistance. The distress alert is a digital selective call using a distress call format in bands used for terrestrial radiocommunication or a distress message format, which is relayed through space stations.

(b) The distress alert must be sent through a satellite either with absolute priority in general communication channels or on exclusive distress and safety frequencies or, alternatively, on the distress and safety frequencies in the MF, HF, and VHF bands using digital selective calling.

(c) The distress alert must be sent only on the authority of the person responsible for the ship, aircraft or other vehicle carrying the mobile station or the mobile earth station.

(d) All stations which receive a distress alert transmitted by digital selective calling must immediately cease any transmission capable of interfering with distress traffic and must continue watch until the call has been acknowledged.

§ 80.1113 Transmission of a distress alert.

(a) The distress alert must identify the station in distress and its position. The distress alert may also contain information regarding the nature of the distress, the type of assistance required, the course and speed of the mobile unit, the time that this information was recorded and any other information which might facilitate rescue.

(b) The format of distress calls and distress messages must be in accordance with CCIR Recommendation 493 as specified in § 80.1101.

(c) Ship-to-shore distress alerts are used to alert Rescue Coordination Centers via coast stations or coast earth stations that a ship is in distress. These alerts are based on the use of transmissions via satellites (from a ship earth station or a satellite EPIRB) and terrestrial services (from ship stations and EPIRBs).

(d) Ship-to-ship distress alerts are used to alert other ships in the vicinity of the ship in distress and are based on the use of digital selective calling in the VHF, MF, and HF bands.

(e) Shore-to-ship distress alert relays are used by a station or Rescue Coordination Center to relay information about a ship in distress to, as appropriate, all ships, a selected group of ships, or a specific ship by satellite and/or terrestrial means. The distress alert relay must contain the identification of the mobile unit in distress, its position and all other information which might facilitate rescue.

§ 80.1115 Transmission of a distress alert by a station not itself in distress.

(a) A station in the mobile or mobile-satellite service which learns that a mobile unit is in distress must initiate and transmit a distress alert relay in any of the following cases:

(1) When the mobile unit in distress is not itself in a position to transmit the distress alert; or

(2) When the master or person responsible for the mobile unit not in distress or the person responsible for the land station determines that further help is necessary.

(b) A station transmitting a distress alert relay in accordance with paragraph (a) of this section or § 80.1121(c) must indicate that it is not itself in distress.

§ 80.1117 Procedure for receipt and acknowledgement of distress alerts.

(a) Acknowledgement by digital selective calling of receipt of a distress alert in the terrestrial services must comply with CCIR Recommendation 541, which is incorporated by reference.

(b) Acknowledgement through a satellite of receipt of a distress alert from a ship earth station must be sent immediately (see § 80.1119).

(c) Acknowledgement by radiotelephony of receipt of a distress alert from a ship station or a ship earth station must be given in the following form:

(1) The distress signal MAYDAY;

(2) The call sign or other identification of the station sending the distress message, spoken three times;

(3) The words THIS IS (or DE spoken as DELTA ECHO in case of language difficulties);

(4) The call sign or other identification of the station acknowledging receipt, spoken three times;

(5) The word RECEIVED (or RRR spoken as ROMEO ROMEO ROMEO in case of language difficulties);

(6) The distress signal MAYDAY.

(d) The acknowledgement by direct-printing telegraphy of receipt of a distress alert from a ship station must be given in the following form:

(1) The distress signal MAYDAY;

(2) The call sign or other identification of the station sending the distress alert;

(3) The word DE;

(4) The call sign or other identification of the station acknowledging receipt of the distress alert;

(5) The signal RRR;

(6) The distress signal MAYDAY.

(e) The acknowledgement by direct-printing telegraphy of receipt of a distress alert from a ship earth station must be given by the coast earth station receiving the distress alert by retransmitting the ship station identity of the ship transmitting the distress alert.

§ 80.1119 Receipt and acknowledgement of distress alerts by coast stations and coast earth stations.

(a) Coast stations that receive a distress alert should defer acknowledgement for a short interval so that receipt may be acknowledged by a Rescue Coordination Center. Where an acknowledgement is not forthcoming within 3 minutes, the coast station in receipt of distress alerts must ensure that they are routed to a Rescue Coordination Center as soon as possible. Coast stations must provide assistance for distress communications when requested to do so by the U.S. Coast Guard. (This subpart does not specify any radio watches for coast stations.)

(b) Coast earth stations in receipt of distress alerts must ensure that they are routed as soon as possible to a Rescue Coordination Center. Coast earth stations must relay, as soon as possible, an acknowledgement of a distress alert from a Rescue Coordination Center.

(c) Certain messages must be carried without charge, regardless of the means by which they are transmitted:

(1) Distress alert messages;

(2) Search and rescue coordination messages;

(3) Medical assistance messages where an imminent danger to life is present, or

(4) Urgent meteorological or navigational danger messages passed in the ship-to-shore direction.

§ 80.1121 Receipt and acknowledgement of distress alerts by ship stations and ship earth stations.

(a) Ship or ship earth stations that receive a distress alert must, as soon as possible, inform the master or person responsible for the ship of the contents of the distress alert.

(b) In areas where reliable communications with one or more coast stations are practicable, ship stations in receipt of a distress alert should defer acknowledgement for a short interval so that receipt may be acknowledged by a coast station.

(c) Ship stations operating in areas where reliable communications with a coast station are not practicable that receive a distress alert from a ship station which is, beyond doubt, in their vicinity, must, as soon as possible and if appropriately equipped, acknowledge receipt and inform a Rescue Coordination Center through a coast station or coast earth station (see § 80.1115(a)(2)). However, a ship station receiving an HF distress alert must not acknowledge it but must observe the requirements of § 80.1123, and must, if the alert is not acknowledged by a coast station within 3 minutes, relay the distress alert.

(d) A ship station acknowledging receipt of a distress alert in accordance with paragraphs (b) or (c) of this section should:

(1) Acknowledge receipt of the alert by using radiotelephony on the distress and safety traffic frequency in the band used for the alert;

(2) If acknowledgement by radiotelephony of the distress alert received on the MF or VHF distress alerting frequency is unsuccessful, acknowledge receipt of the distress alert by responding with a digital selective call on the appropriate frequency.

(e) A ship station in receipt of a shore-to-ship distress alert relay (see § 80.1113(e)) should establish communication as directed and render such assistance as required and appropriate.

§ 80.1123 Watch requirements for ship stations.

(a) While at sea, all ships must maintain a continuous watch:

(1) On VHF DSC channel 70, if the ship is fitted with a VHF radio installation in accordance with § 80.1085(a)(2);

(2) On the distress and safety DSC frequency 2187.5 kHz, if the ship is fitted with an MF radio installation in accordance with §§ 80.1089(a)(2) or 80.1091(a)(3);

(3) On the distress and safety DSC frequencies 2187.5 kHz and 8414.5 kHz also on at least one of the distress and safety DSC frequencies 4207.5 kHz, 6312 kHz, 12577 kHz, or 16804.5 kHz appropriate to the time of day and the geographical position of the ship, if the ship is fitted with an MF/HF radio installation in accordance with §§ 80.1091(a)(2)(ii) or 80.1093(a) of this part (this watch may be kept by means of a scanning receiver limited to six distress and safety DSC frequencies); and

(4) For satellite shore-to-ship distress alert, if the ship is fitted with an INMARSAT ship earth station in accordance with § 80.1091(a)(1).

(b) While at sea, all ships must maintain radio watches for broadcasts of maritime safety information on the appropriate frequency or frequencies on which such information is broadcast for the area in which the ship is navigating.

(c) Until February 1, 1999, every ship while at sea must maintain, when practicable, a continuous listening watch on VHF Channel 16. This watch must be kept at the position from which the ship is normally navigated or at a position which is continuously manned.

(d) Until February 1, 1999, every ship required to carry a radiotelephone watch receiver must maintain, while at sea, a continuous watch on the radiotelephone distress frequency 2182 kHz. This watch must be kept at the position from which the ship is normally navigated or at a position which is continuously manned.

(e) On receipt of a distress alert transmitted by use of digital selective calling techniques, ship stations must set watch on the radiotelephone distress and safety traffic frequency associated with the distress and safety calling frequency on which the distress alert was received.

(f) Ship stations with narrow-band direct printing equipment must set watch on the narrow-band direct-printing frequency associated with the distress alert signal if it indicates that narrow-band direct-printing is to be used for subsequent distress communications. If practicable, they should additionally set watch on the radiotelephone frequency associated with the distress alert frequency.

§ 80.1125 Search and rescue coordinating communications.

(a) The distress signal consists of the word MAYDAY, pronounced in radiotelephony as the French expression "M'aider". For distress traffic by radiotelephony, when establishing communications, calls must be prefixed by the distress signal MAYDAY.

(b) Error correction techniques, in accordance with CCIR Recommendation 625 as specified in § 80.1101, must be used for distress traffic by direct-printing telegraphy. All messages must be preceded by at least one carriage return, a line feed signal, a letter shift signal and the distress signal MAYDAY.

(c) Distress communications by direct-printing telegraphy should be in the ARQ mode when ships are communicating directly to the Coast Guard or other coast stations on channels which they normally guard. Other distress communications, including those on simplex channels provided for that purpose, should be in the broadcast forward error correction mode. The ARQ mode may subsequently be used when it is advantageous to do so.

(d) The Rescue Coordination Center responsible for controlling a search and rescue operation will also coordinate the distress traffic relating to the incident or may appoint another station to do so.

(e) The Rescue Coordination Center coordinating distress traffic, the unit coordinating search and rescue operations, or the coast station involved may impose silence on stations which interfere with that traffic. This instruction may be addressed to all stations or to one station only, according to circumstances. In either case, the following will be used:

(1) In radiotelephony, the signal SEELONCE MAYDAY, pronounced as the French expression "silence, m'aider";

(2) In narrow-band direct-printing telegraphy normally using forward-error correcting mode, the signal SILENCE MAYDAY. However, the ARQ mode may be used when it is advantageous to do so.

(f) Until they receive the message indicating that normal working may be resumed (see paragraph (h) of this section), all stations which are aware of the distress traffic, and which are not taking part in it, and which are not in distress, are forbidden to transmit on the frequencies in which the distress traffic is taking place.

(g) Stations following distress traffic that are able to continue normal service may do so when the distress traffic is well established and on condition that it observes the provisions of paragraph (f) of this section and that it does not interfere with distress traffic.

(h) When distress traffic has ceased on frequencies which have been used for distress traffic, the Rescue Coordination Center controlling a search and rescue operation must initiate a message for transmission on these frequencies indicating that distress traffic has finished.

(i) In radiotelephony, the message referred to in paragraph (h) of this section consists of:

(1) The distress signal MAYDAY;

(2) The call "Hello all stations" or CQ (spoken as CHARLIE QUEBEC) spoken three times;

(3) The words THIS IS (or DE spoken as DELTA ECHO in the case of language difficulties);

(4) The call sign or other identification of the station sending the message;

(5) The time when the distress situation has ceased;

(6) The name and call sign of the mobile station which was in distress;

(7) The words SEELONCE FEENEE pronounced as the French words "silence fini"

(j) In direct-printing telegraphy, the message referred to in paragraph (h) of this section consists of:

(1) The distress signal MAYDAY;

(2) The call CQ;

(3) The word DE;

(4) The call sign or other identification of the station sending the message;

(5) The time when distress situation has ceased;

(6) The name and call sign of the mobil station which was in distress; and

(7) The words SILENCE FINI.

§ 80.1127 On-scene communications.

(a) On-scene communications are those between mobile unit in distress and assisting mobile units, and between the mobile units and unit coordinating search and rescue operations.

(b) Control of on-scene communications is the responsibility of the unit coordinating search and rescue operations. Simplex communications must be used so that all on-scene mobile stations may share relevant information concerning the distress incident. If direct-printing telegraphy is used, it must be in the forward error-correcting mode in accordance with CCIR Recommendation 625 as specified in § 80.1101.

(c) The preferred frequencies in radiotelephony for on-scene communications are 156.8 MHz and 2182 kHz. The frequency 2174.5 kHz may also be used for ship-to-ship on-scene communications using narrow-band direct-printing telegraphy in the forward error correcting mode in accordance with CCIR Recommendation 625 as specified in § 80.1101.

(d) In addition to 156.8 MHz and 2182 kHz, the frequencies 3023 kHz, 4125 kHz, 5680 kHz, 123.1 MHz and 156.3 MHz may be used for ship-to-aircraft on-scene communications.

(e) The selection or designation of on-scene frequencies is the responsibility of the unit coordinating search and rescue operations. Normally, once an on-scene frequency is established, a continuous aural or teleprinter watch is maintained by all participating on-scene mobile units on the selected frequency.

§ 80.1129 Locating and homing signals.

(a) Locating signals are radio transmissions intended to facilitate the finding of a mobile unit in distress or the location of survivors. These signals include those transmitted by searching units and those transmitted by the mobile unit in distress, by survival craft, by float-free EPIRBS, by satellite EPRIBs, and by search and rescue radar transponders to assist the searching units.

(b) Homing singnals are those locating signals which are transmitted by mobile units in distress, or by survival craft, for the purpose of providing searching units with a signal that can be used to determine the bearing to the transmitting stations.

(c) Locating signals may be transmitted in the following frequency bands: 117.975–136 MHz, 121.5 MHz, 156–174 MHz, 406–406.1 MHz, and 9200–9500 MHz.

(d) The 9 GHz locating signals must be in accordance with CCIR Recommendation 628 as specified in § 80.1101.

§ 80.1131 Transmissions of urgency communications.

(a) In a terrestrial system the announcement of the urgency message must be made on one or more of the distress and safety calling frequencies specified in § 80.1077 using digital selective calling and the urgency call format. A separate announcement need not be made if the urgency message is to be transmitted through the maritime mobile-satellite service.

(b) The urgency signal and message must be transmitted on one or more of the distress and safety traffic frequencies specified in § 80.1077, or via the maritime mobile-satellite service or on other frequencies used for this purpose.

(c) The urgency signal consists of the words PAN PAN. In radiotelephony each word of the group must be pronounced as the French word "panne".

(d) The urgency call format and the urgency signal indicate that the calling station has a very urgent message to transmit concerning the safety of a mobile unit or a person.

(e) In radiotelephony, the urgency message must be preceded by the urgency signal, repeated three times, and the identification of the transmitting station.

(f) In narrow-band direct-printing, the urgency message must be preceded by the urgency signal and the identification of the transmitting station.

(g) The urgency call format or urgency signal must be sent only on the authority of the master or the person responsible for the mobile unit carrying the mobile station or mobile earth station.

(h) The urgency call format or the urgency signal may be transmitted by a land station or a coast earth station with the approval of the responsible authority.

(i) When an urgency message which calls for action by the stations receiving the message has been transmitted, the station responsible for its transmission must cancel it as soon as it knows that action is no longer necessary.

(j) Error correction techniques, in accordance with CCIR Recommendation 625 as specified in § 80.1101, must be used for urgency messages by direct-printing telegraphy. All messages must be preceded by at least one carriage return, a line feed signal, a letter shift signal and the urgency signal PAN PAN.

(k) Urgency communications by direct-printing telegraphy should be in the ARQ mode when communicating directly to the Coast Guard or other coast stations on channels which they normally guard. Other distress communications, including those on simplex channels provided for that purpose, should be in the broadcast forward error correction mode. The ARQ mode may subsequently be used when it is advantageous to do so.

§ 80.1133 Transmission of safety communications.

(a) In a terrestrial system the announcement of the safety message must be made on one or more of the distress and safety calling frequencies specified in § 80.1077 using digital selective calling techniques. A separate announcement need not be made if the message is to be transmitted through the maritime mobile-satellite service.

(b) The safety signal and message must normally be transmitted on one or more of the distress and safety traffic frequencies specified in § 80.1077, or via the maritime mobile satellite service or on other frequencies used for this purpose.

(c) The safety signal consists of the word SECURITE. In radiotelephony, it is pronounced as in French.

(d) The safety call format or the safety signal indicates that the calling station has an important navigational or meteorological warning to transmit.

(e) In radiotelephony, the safety message must be preceded by the safety signal, repeated three times, and the identification of the transmitting station.

(f) In narrow-band direct-printing, the safety message must be preceded by the safety signal and the identification of the transmitting station.

(g) Error correction techniques, in accordance with CCIR Recommendation 625 as specified in § 80.1101, must be used for safety messages by direct-printing telegraphy. All messages must be preceded by at least one carriage return, a line feed signal, a letter shift signal and the safetysignal SECURITE.

(h) Safety communications by direct-printing telegraphy should be in the ARQ mode when communicating directly to the Coast Guard or other coast stations on channels which they normally guard. Other distress communications, including those on simplex channels provided for that purpose, should be in the broadcast forward error correction mode. The ARQ mode may subsequently be used when it is advantageous to do so.

§ 80.1135 Transmission of maritime safety information.

(a) The operational details of the stations transmitting maritime safety information in accordance with this section are indicated in the ITU List of Radiodetermination and Special Service Stations and the IMO Master Plan of Shore-Based Facilities.

(b) The mode and format of the transmissions mentioned in this section is in accordance with the CCIR Recommendation 540 as specified in § 80.1101.

(c) Maritime safety information is transmitted by means of narrow-band direct-printing telegraphy with forward error correction using the frequency 518 kHz in accordance with the international NAVTEX system (see § 80.1077).

(d) The frequency 490 kHz may be used, after full implementation of the GMDSS, for the transmission of maritime safety information by means of narrow-band direct-printing telegraphy with forward error correction (see § 80.1077).

(e) Internationally, the frequency 4209.5 kHz is used for NAVTEX-type transmissions by means of narrow-band direct-printing telegraphy with forward error correction (see § 80.1077).

(f) Maritime safety information is transmitted by means of narrow-band direct-printing telegraphy with forward error correction using the frequencies 4210 kHz, 6314 kHz, 8416.5 kHz, 12579 kHz, 16806.5 kHz, 19680.5, 22376 kHz, and 26100.5 kHz (see § 80.1077).

(g) Maritime safety information is transmitted via satellite in the maritime mobile-satellite service using the band 1530–1545 MHz (see § 80.1077).

[FR Doc. 92–5724 Filed 3–13–92; 8:45 am]
BILLING CODE 6712–01–M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 620

[Docket No. 920239–2039]

General Provisions for Domestic Fisheries

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Emergency interim rule; correction.

SUMMARY: NMFS is correcting errors in the preamble and implementing regulations for an emergency interim rule that appeared in the **Federal Register** on February 12, 1992 (57 FR 5078). The rule closed an area in the Mid-Atlantic to all fishing due to the potential adverse environmental conditions caused by the loss of drums containing arsenic trioxide from a cargo vessel.

EFFECTIVE DATE: February 6, 1992, through May 12, 1992.

FOR FURTHER INFORMATION CONTACT: Myles Raizin at (508) 281–9104, or One Blackburn Drive, Gloucester, MA 01930–2298.

SUPPLEMENTARY INFORMATION: NMFS has promulgated emergency regulations to address potential adverse environmental conditions due to the loss of arsenic trioxide drums in an area of the Mid-Atlantic Bight. The regulations define an area closed to all fishing activities. Errors were made in both the ordering of the coordinates defining the closed area and the calculation of total square miles affected by the closure.

In FR Doc. 92–3226 beginning on page 5078, in the issue of Wednesday, February 12, 1992, make the following corrections:

1. On page 5078, in the second column, in lines 11 through 14 of the first paragraph Under **SUPPLEMENTARY INFORMATION,** the listing of coordinates that reads, "(c) 38°50.0'N. latitude, 74°16.0'W. longitude; (d) 38°51.5'N. latitude, 74°18.5'W. longitude" is corrected to read:

"(c) 38°51.5'N. latitude, 74°18.5'W. longitude; (d) 38°50.0'N. latitude, 74°16.0'W. longitude".

2. On page 5078, in the second column, in lines 15 and 16 of the first paragraph under **SUPPLEMENTARY INFORMATION,** "4 square miles" is corrected to read "16 square miles".

§ 620.7 [Corrected]

3. On page 5079, in column 3, in section 620.7, paragraph (i) is corrected to read:

(i) Fish in the area of the Mid-Atlantic defined as a rectangle bounded by four straight lines connecting the following coordinates in the order stated:

Point	Latitude	Longitude
a	38°54.0'N.,	74°12.0'W.
b	38°55.5'N.,	74°14.5'W.
c	38°51.5'N.,	74°18.5'W.
d	38°50.0'N.,	74°16.0'W.
a	38°54.0'N.,	74°12.0'W.

Dated: March 10, 1992.

Samuel W. McKeen,

Acting Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 92–6058 Filed 3–13–92; 8:45 am]
BILLING CODE 3510–22–M

Proposed Rules

Federal Register
Vol. 57, No. 51
Monday, March 16, 1992

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 92-NM-32-AD]

Airworthiness Directives; Boeing of Canada, Ltd., de Havilland Division, Model DHC-7 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This notice proposes the supersedure of an existing airworthiness directive (AD), applicable to certain de Havilland Division Model DHC-7 series airplanes, that currently requires repetitive functional checks of the ground spoiler control system to detect incorrect indications. This action would require modification of the ground spoiler control system. This proposal is prompted by an FAA determination that long-term continued operational safety should be assured by actual modification of the airplane rather than repetitive inspections. The actions specified by the proposed AD are intended to prevent inadvertent deployment of the ground spoilers and loss of lift.

DATES: Comments must be received by May 4, 1992.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration, Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 92-NM-32-AD, 1601 Lind Avenue SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Boeing of Canada, Ltd., de Havilland Division, Garratt Boulevard, Downsview, Ontario M3K 1Y5, Canada. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington; or at the FAA, New England Region, New York Aircraft Certification Office, 181 South Franklin Avenue, room 202, Valley Stream, New York.

FOR FURTHER INFORMATION CONTACT: Mr. Sol Maroof, Aerospace Engineer, Airframe Branch, ANE-172, FAA, New York Aircraft Certification Office, 181 South Franklin Avenue, room 202, Valley Stream, New York 11581; telephone (516) 791-6220; fax (516) 791-9024.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 92-NM-32-AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 92-NM-32-AD, 1601 Lind Avenue SW., Renton, Washington 98055-4056.

Discussion

On October 13, 1983, the FAA issued AD 83-07-25, Amendment 39-4753 (48 FR 48803, October 21, 1983), to require repetitive functional checks of the ground spoiler control system to detect incorrect indications. That action was prompted by an in-service incident in which the ground spoilers were extended prior to takeoff. This condition was caused by both ground spoiler selector solenoid valves failing in the open position, holding the spoilers in the extended position. Investigation revealed that the "O" ring debris from the No. 1 hydraulic system pressure manifold had jammed the spool of each valve in mid-stroke, blocking off the return port. Illumination of the caution light occurs only when a difference in position exists between the valves. Due to both spools jamming in the same condition, the caution light did not illuminate. The requirements of that AD are intended to prevent inadvertent deployment of the ground spoilers and loss of lift.

Since the issuance of the AD, the FAA has determined that long-term continued operational safety should be assured by actual modification of the airplane rather than repetitive inspections. Modification of the ground spoiler control system will effectively prevent inadvertent deployment of the ground spoilers.

Boeing of Canada, Ltd., de Havilland Division, has issued Service Bulletin 7-27-46, Revision B, dated December 17, 1982, that describes procedures to modify the ground spoiler control system by removing the existing hydraulic pressure port reducer fittings and installing new reducer fittings which incorporate an integral filter. Transport Canada Aviation, which is the airworthiness authority of Canada, classified this service bulletin as mandatory.

This airplane model is manufactured in Canada and is type certificated for operation in the United States under the provisions of § 21.29 of the Federal Aviation Regulations and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, Transport Canada Aviation has kept the FAA informed of the situation described above. The FAA has examined the findings of Transport Canada Aviation, reviewed all available

information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would supersede AD 83-07-25 to require modification of the ground spoiler system. The actions would be required to be accomplished in accordance with the service bulletin described previously.

The FAA estimates that 42 airplanes of U.S. registry would be affected by this proposed AD. The FAA has been advised that the 42 affected airplanes have accomplished the modification proposed by this AD. However, should an unmodified airplane be imported and placed on the U.S. Register in the future, it would take approximately 2 work hours per airplane to accomplish the proposed actions, at an average labor rate of $55 per work hour. Required parts would be supplied by the manufacturer to the operators at no cost. Based on these figures, the total estimated cost impact of this AD would be $110 per airplane.

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption "ADDRESSES."

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 14 CFR part 39 of the Federal Aviation Regulations as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing amendment 39-4753 (48 FR 48803, October 21, 1983), and by adding a new airworthiness directive (AD), to read as follows:

Boeing of Canada, Ltd., De Havilland Division: Docket 92-NM-32-AD. Supersedes AD 83-07-25, Amendment 39-4753.

Applicability: Model DHC-7 series airplanes; as listed in de Havilland Service Bulletin 7-27-46, Revision B, dated December 17, 1982, certificated in any category.

Compliance: Required as indicated, unless accomplished previously. To prevent inadvertent deployment of the ground spoilers and loss of lift, accomplish the following:

(a) Within 15 hours time-in-service or 7 days after November 2, 1983 (the effective date of AD 83-07-25, Amendment 39-4753), whichever occurs first, perform a functional check of the ground spoiler control system, in accordance with the Accomplishment Instructions of de Havilland Alert Service Bulletin A7-27-46, Revision A, dated November 19, 1982, or Revision B, dated December 17, 1982.

(b) If the check required by paragraph (a) of this AD shows incorrect indications, operate the airplane in accordance with the Airplane Flight Manual Minimum Equipment List Supplement No. 4 until the requirements of paragraph (d) of this AD are accomplished.

(c) Repeat the functional checks required by paragraph (a) of this AD at intervals not to exceed 15 hours time-in-service, or 7 days, whichever occurs first.

(d) Within 6 months after the effective date of this AD, accomplish paragraph (d)(1) or (d)(2) of this AD in accordance with de Havilland Service Bulletin 7-27-46, Revision B, dated December 17, 1982:

(1) For airplane serial numbers 1 through 73 that have been retrofitted with Modification No. 7/1732; and airplane serial numbers 74 through 83, 85, 86, and 89: Incorporate Modification No. 7/2296, in accordance with the service bulletin.

(2) For airplane serial numbers 1 through 73 that have not been retrofitted with Modification No. 7/1732; and airplane serial numbers 84, 87, 88, and 90 through 93: Incorporate Modification No. 7/2294, in accordance with the service bulletin.

(e) Incorporation of Modification No. 7/2296 or 7/2294, as required by paragraph (d)(1) or (d)(2) of this AD, constitutes terminating action for the repetitive functional checks required by paragraph (c) of this AD.

(f) An alternative method of compliance or adjustment of the compliance time, which provides an acceptable level of safety, may be used when approved by the Manager, New York Aircraft Certification Office (ACO), ANE-170, FAA, Engine and Propeller Directorate. The request shall be forwarded through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, New York ACO.

(g) Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Wahington, on March 4, 1992.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 92-6084 Filed 3-13-92; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORATION

14 CFR Part 39

[Docket No. 92-NM-33-AD]

Airworthiness Directives; Canadair, Ltd., Model CL-600-1A11 (CL-600), CL-600-2A12 (CL-601), and CL-600-2B16 (CL-601-3A) Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This notice proposes the supersedure of an existing airworthiness directive (AD), applicable to certain Canadair Model CL-600, CL-601, and CL-601-3A series airplanes, that currently requires inspections for potential crossed wiring in the engine fire extinguishing system and the engine fire detection and warning system, and correction of any discrepancies. This action would require modification of the engine fire extinguishing system. This proposal is prompted by a report indicating that any disconnection and subsequent reconnection of the wiring or warning system wiring harnesses may lead to inadvertent crossed wiring. The actions specified by the proposed AD are intended to prevent severe damage to an airplane in the event of an engine fire.

DATES: Comments must be received by May 4, 1992.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration, Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 92-NM-33-AD, 1601 Lind Avenue SW., Renton, Washington 98055-4056. Comments may be inspected

at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Bombardier, Inc., Canadair, Aerospace Group, P.O. Box 6087, Station A, Montreal, Quebec, Canada H3C 3G9. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington; or at the FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 181 South Franklin Avenue, room 202, Valley Stream, New York.

FOR FURTHER INFORMATION CONTACT: Mr. Raymond O'Neill, Aerospace Engineer, Propulsion Branch, ANE-174, FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 181 South Franklin Avenue, room 202, Valley Stream, New York 11581-1145; telephone (516) 791-7421; fax (516) 791-9024.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications recieved on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Coments to Docket Number 92-NM-33-AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of the NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 92-NM-33-AD, 1601 Lind Avenue SW., Renton, Washington 98055-4056.

Discussion

On January 9, 1992, the FAA issued AD 92-03-06, Amendment 39-8161 (57 FR 3006, January 27, 1992), to require inspections for potential crossed wiring in the engine fire extinguishing system and the engine fire detection and warning system, and correction of any discrepancies. That action was prompted by a report indicating that any disconnection and subsequent reconnection of the wiring or warning system wiring harnesses may lead to inadvertent crossed wiring. The requirements of that AD are intended to prevent severe damage to an airplane in the event of an engine fire.

Canadair, Ltd., has issued Alert Service Bulletins A600-0581 (for Model CL-600-1A11 series airplanes) and A601-0309 (for Model CL-600-2A12 and CL-600-2B16 series airplanes), both dated September 8, 1989, that describe procedures for installation of a modification to eliminate the possibility of future wiring harness cross connections in the engine fire extinguishing system. This modification consists of trimming the affected wiring harnesses to minimum required length and installing clamping. Transport Canada Aviation classified these service bulletins as mandatory and issued Canadian AD CF-91-24 in order to assure the continued airworthiness of these airplanes in Canada.

In the preamble to AD-92-03-06, the FAA advised that the actions required by the AD are considered interim. Therefore, in this action, the FAA proposes modification of the engine fire extinguishing system. The FAA has determined that this modification of the engine fire extinguishing system fully addresses the unsafe condition.

This action reflects the FAA's decision that long term continued operational safety should be assured by actual modification of the airframe rather than repetitive inspections.

This airplane model is manufactured in Canada and is type certificated for operation in the United States under the provisions of § 21.29 of the Federal Aviation Regulations and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, Transport Canada Aviation has kept the FAA informed of the situation described above. The FAA has examined the findings of Transport Canada Aviation, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would supersede AS 92-03-06 to require modification of the engine fire extinguishing system. The actions would be required to be accomplished in accordance with the service bulletins described previously.

The FAA estimates that 100 airplanes of U.S. registry would be affected by this proposed AD. The actions previously required by AD 92-03-06 necessitated 2 work hours to accomplish, at an average labor charge of $55 per work hour; the total cost to affected U.S. operators was approximately $11,000, or $110 per airplane. The modification that would be required by this AD would require an additional 6 work hours to accomplish, at an average labor charge of $55 per work hour; required parts would be supplied by the manufacturer at no cost to the operators. Therefore, the additional cost to U.S. operators with regards to the proposed modification action is estimated to be $33,000, or $330 per airplane. Based on these figures, the total cost impact of this AD on U.S. operators is estimated to be $44,000, or $440 per airplane.

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" undet the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) If promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption "ADDRESSES."

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 14 CFR part 39 of the Federal Aviation Regulations as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing amendment 39–8161 (57 FR 3006, January 27, 1992), and by adding a new airworthiness directive (AD), to read as follows:

Canadair, LTD: Docket 92–NM–33–AD. Supersedes AD 92–03–06, Amendment 39–8161.

Applicability: Model CL–600–1A11 series airplanes, serial numbers 1004 to 1085, except serial number 1037; Model CL–600–2A12 series airplanes, serial numbers 3001 to 3066; and Model CL–600–2B16 series airplanes, serial numbers 5001 to 5049; certificated in any category.

Compliance: Required as indicated, unless accomplished previously.

To prevent severe damage to an airplane in the event of an engine fire, accomplish the following:

(a) Within 30 days after February 11, 1991 (the effective date of AD 92–03–06, Amendment 39–8161), accomplish the following:

(1) For Model CL–600–1A11 series airplanes: Perform an inspection for potential crossed wiring in the engine fire extinguishing system, and inspect the electrical connectors for unlocked or inoperative pins, in accordance with Canadair Alert Service Bulletin A600–0581, dated September 8, 1989.

(2) For Model CL–6—2A12 and CL–600–2B16 series airplanes: Perform an inspection for potential crossed wiring in both the engine fire detection and warning system and the engine fire extinguishing system, and inspect the electrical connectors for unlocked or inoperative pins, in accordance with Canadair Alert Service Bulletin A601–0309, dated September 8, 1989.

(b) If any wiring discrepancies are detected as a result of the inspections required by paragraph (a) of this AD, prior to further flight, correct the discrepancies and replace any discrepant electrical connectors found, in accordance with Canadair Alert Service Bulletin A600–0581 (for Model CL–600–1A11 series airplanes), or A601–0309 (for Model CL–60–2A12 and CL–600–2B16 series airplanes), both dated September 8, 1989, as applicable.

(c) Within 120 days after the effective date of this AD, or the next time the fire bottles are removed from the airplane, whichever occurs first, modify the engine fire extinguishing warning harnesses and perform a functional test, in accordance with Canadair Service Bulletin A600–0581, dated September 8, 1989 (for Model CL–600–1A11 series airplanes); of Canadair Service Bulletin A601–0309, dated September 8, 1989 (for Model CL–600–2A12 and CL–600–2B16), as applicable.

(d) An alternative method of compliance or adjustment of the compliance time, which provides an acceptable level of safety, may be used when approved by the Manager, New York Aircraft Certification Office (ACO), ANE–170, FAA, Engine and Propeller Directorate. The request shall be forwarded through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, New York ACO.

(e) Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on March 4, 1992.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 92–6085 Filed 3–13–92; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308

Schedules of Controlled Substances; Temporary Placement of Methcathinone Into Schedule I

AGENCY: Drug Enforcement Administration, Department of Justice.

ACTION: Notice of intent.

SUMMARY: The Administrator of the Drug Enforcement Administration (DEA) is issuing this notice of intent to temporarily place methcathinone into Schedule I of the Controlled Substances Act (CSA) pursuant to the emergency scheduling provisions of the CSA (21 U.S.C. 811(h)). This intended action is based on a finding by the DEA Administrator, that the placement of methcathinone into Schedule I of the CSA is necessary to avoid an imminent hazard into the public safety. Finalization of this action will impose the criminal sanctions and regulatory controls of Schedule I on the manufacture, distribution and possession of methcathinone.

FOR FURTHER INFORMATION CONTACT: Howard McClain, Jr., Chief, Drug and Chemical Evaluation Section, Drug Enforcement Administration, Washington, DC 20537, Telephone: (202) 307–7183.

SUPPLEMENTARY INFORMATION: The Comprehensive Crime Control Act of 1984 (Pub. L. 98–473), which was signed into law on October 12, 1984, amended section 201 of the Controlled Substances Act (CSA) (21 U.S.C. 811) to give the Attorney General the authority to temporarily place a substance into Schedule I of the CSA if he finds that such action is necessary to avoid an imminent hazard to the public safety. A substance may be temporarily scheduled under the emergency provision of the CSA if that substance is not listed in any other schedule under section 202 of the CSA (21 U.S.C. 812) or if there is no approval or exemption in effect under 21 U.S.C. 355 for the substance. The Attorney General has delegated his authority under 21 U.S.C. 811 to the Administrator of DEA by regulation (28 CFR 0.100). In making a finding that placing a substance temporarily into Schedule I of the CSA is necessary to avoid an imminent hazard to the public safety, the Administrator is required to consider three of the eight factors set forth in section 201(c) of the CSA (21 U.S.C. 811(c)). These factors are as follows:

(4) History and current pattern of abuse;

(5) The scope, duration and significance of abuse; and

(6) What, if any, risk there is to the public health. House Report 98–835 which accompanied Public Law 98–473 states that "This new procedure (emergency scheduling) is intended by the committee to apply to what has been called 'designer drugs', new chemical analogs or variations of existing controlled substances, which have a psychedelic, stimulant or depressant effect and have a high potential for abuse." Methcathinone is an analogue of methamphetamine, which is a Schedule II stimulant with a high potential for abuse, and as such is the type of substance which Congress intended to be considered for emergency scheduling.

Methcathinone, also called ephedrone or 2-methylamino-1-phenylpropan-1-one, is an N-methylated phenylisopropylamine that has a chemical structure substantially similar to that of methamphetamine. Available pharmacological data indicate that methcathinone produces amphetamine-like, psychomotor stimulant effects in laboratory animals.

Five clandestine laboratories concerned with methcathinone production have been encountered in the state of Michigan. Methcathinone is sold as a "legal" stimulant under the street name "cat." It is distributed as a powdered material and is administered via nasal inhalation.

There have been no reports of deaths or injuries specifically attributed to the

abuse of methcathinone in the United States. However, in the scientific literature there is at least one report attributing overdose to ephedrone (methcathinone) in the former Soviet Union where this drug is supposedly abused under the street name "Jeff." Methcathinone's structural similarity to methamphetamine and its central nervous system stimulant activity strongly suggest that abuse of this substance will lead to health and safety risks similar to those produced by amphetamine and methamphetamine. Since methcathinone is only manufactured in clandestine laboratories, there are additional risks associated with its abuse. The health and safety hazards associated with the abuse of amphetamine and methamphetamine are well established. According to national estimates of emergency room mentions from the Drug Abuse Warning Network (DAWN), there were over 8500 and 5200 emergency room episodes associated with the use of methamphetamine and speed during 1989 and 1990, respectively. Abuse of methcathinone is likely to cause emergency episodes qualitatively similar to the types of emergency room episodes produced by methamphetamine.

The above data show that the continued, uncontrolled clandestine production, distribution and abuse of methcathinone will pose an imminent hazard to the public safety. DEA is not aware of any commercial manufacturer or supplier of methcathinone in the United States. DEA is also not aware of any recognized therapeutic use of this substance in the United States.

In accordance with the provisions of section 201(h) of the CSA (21 U.S.C. 811(h)) and 28 CFR 0.100, the Administrator of DEA has considered the following factors relative to making a determination of whether temporarily scheduling methcathinone under the CSA is necessary to avoid an imminent hazard to the public safety:

(1) Its history and current pattern of abuse;

(2) The scope, duration and significance of abuse; and

(3) What, if any, risk there is to the public safety.

Based on a consideration of these factors and other relevant information, the Administrator, pursuant to section 201(h) of the CSA (21 U.S.C. 811(h)) and 28 CFR 0.100, finds that placement of methcathinone into Schedule I of the CSA is necessary to avoid an imminent hazard to the public safety.

As required by section 201(h)(4) of the CSA (21 U.S.C. 811(h)(4)), the Administrator has notified the Assistant Secretary for Health, delegate of the Secretary of the Department of Health and Human Services, of his intention to temporarily place methcathinone into Schedule I of the CSA. Comments submitted by the Assistant Secretary for Health in response to this notification, including whether there is an exemption or approval in effect for methcathinone under the Federal Food, Drug and Cosmetic Act, shall be taken into consideration before a final order is published. Because the Administrator finds that it is necessary to temporarily place methcathinone into Schedule I to avoid an imminent hazard to the public safety, the final order, if issued, will be effective on the date of publication in the **Federal Register**. Further, it is the intention of the Administrator to issue such a final order as soon as possible after the expiration of thirty days from the date of publication of this notice and the date that a notification has been transmitted to the Assistant Secretary for Health.

The Administrator of the Drug Enforcement Administration hereby certifies that this notice of intent to temporarily place methcathinone into Schedule I of the CSA will have no significant impact upon entities whose interests must be considered under the Regulatory Flexibility Act, 5 U.S.C. 801 *et seq.*

The Temporary scheduling of methcathinone is not a major rule for the purposes of Executive Order (E.O.) 12291 of February 17, 1981. It has been determined that drug scheduling matters are not subject to review by the Office of Management and Budget (OMB) pursuant to the provisions of E.O. 12291. Accordingly, this proposed emergency scheduling action is not subject to the provisions of E.O. 12778 which are contingent upon review by OMB. This regulation both responds to an emergency situation posing an imminent danger to the public health and safety, and is essential to a criminal law enforcement function of the United States. Accordingly, it is not subject to the 90-day moratorium on regulations ordered by the President of the United States in his memorandum of January 28, 1992.

The action has been analyzed in accordance with the principles and criteria in E.O. 12291, and it has been determined that the temporary placement of methcathinone into Schedule I of the CSA does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

List of Subjects in 21 CFR Part 1308

Administrative practice and procedure, Drug traffic control, Narcotics, Prescription drugs.

Under the authority vested in the Attorney General by section 201(h) of the CSA (21 U.S.C. 811(h)), and delegated to the Administrator of DEA by Department of Justice regulations (28 CFR 0.100), the Administrator hereby intends to order that 21 CFR part 1308 be amended as follows:

PART 1308—SCHEDULES OF CONTROLLED SUBSTANCES

1. The authority citation for 21 CFR part 1308 continues to read as follows:

Authority: 21 U.S.C. 811, 812, 871b, unless otherwise noted.

2. Paragraph (g)(3) is added to 1308.11 to read as follows:

§ 1308.11 Schedule I.

* * * * *

(g) * * *

(3) Methcathinone (Some other names: 2-Methylamino-1-phenylpropan-1-one; Ephedrone; Monomethylpropion), its salts, optical isomers, and salts of optical isomers.....1237

Dated: March 9, 1992.

Robert C. Bonner,

Administrator of Drug Enforcement.

[FR Doc. 92-6051 Filed 3-13-92; 8:45 am]

BILLING CODE 4410-09-M

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 21

RIN 2900-AE84

Veterans Education; Nonduplication of Benefits

AGENCY: Department of Veterans Affairs.

ACTION: Proposed regulations.

SUMMARY: The law prohibits the payment of educational assistance to a person who would otherwise be eligible for benefits under the Montgomery GI Bill—Active Duty when he or she is on active duty with the Armed Forces and the Armed Forces are paying for the course in which he or she is enrolled. Since this provision occurs in the law, but not in the regulations, users of the regulations have occasionally been confused. In order to eliminate that confusion, this proposal would include that prohibition in the regulations. In addition, some minor amendments to the wording of a similar prohibition

concerning Dependents' Educational Assistance and the Government Employees' Training Act is also included in this proposal.

DATES: Comments must be received on or before April 15, 1992. Comments will be available for public inspection until April 27, 1992.

ADDRESSES: Send written comments to: Secretary of Veterans Affairs (271A), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420. All written comments received will be available for public inspection only in the Veterans Services Unit, room 170 of the above address between the hours of 8 a.m. to 4:30 p.m., Monday through Friday (except holidays) until April 27, 1992.

FOR FURTHER INFORMATION CONTACT: June C. Schaeffer, Assistant Director for Policy and Program Administration, Education Service, Veterans Benefits Administration, (202) 233–2092.

SUPPLEMENTARY INFORMATION: 38 CFR 21.4025 is amended to show that a duplication of benefits exists with respect to Dependents' Educational Assistance and the Government Employees' Training Act only when the eligible person is being paid a full salary; the course is being paid for under the Act; and the eligible person is pursuing the course during normal duty hours.

38 CFR 21.7134 is amended to clarify that the prohibition against duplication of benefits also applies to a potential duplication between benefits paid under the Montgomery GI Bill—Active Duty and the Government Employees' Training Act.

The Department of Veterans Affairs has determined that these amended regulations do not contain a major rule as that term is defined by E.O. 12291, entitled Federal Regulation. The regulations will not have a $100 million annual effect on the economy, and will not cause a major increase in costs or prices for anyone. They will have no significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of the United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The Secretary of Veterans Affairs has certified that these amended regulations, if promulgated, will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act (RFA), 5 U.S.C. 601–612. Pursuant to 5 U.S.C. 605(b), the amended regulations, therefore, are exempt from the initial and final regulatory flexibility analyses requirements of sections 603 and 604.

This certification can be made because the amended regulations directly affect only individuals. They will have no significant economic impact on small entities, i.e., small businesses, small private and nonprofit organizations and small governmental jurisdictions.

The Catalog of Federal Domestic Assistance numbers for the programs affected by this proposal are 64.117 and 64.124.

List of Subjects in 38 CFR Part 21

Civil rights, Claims, Education, Grant programs-education, Loan programs-education, Reporting and recordkeeping requirements, Schools, Veterans, Vocational education, Vocational rehabilitation.

Approved: January 28, 1992.

Edward J. Derwinski,

Secretary of Veterans Affairs.

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

Subpart D—Administration of Educational Benefits; 38 U.S.C. Chapters 34, 35, and 36

For the reasons set out in the preamble, 38 CFR part 21, subparts D and K are amended as set forth below.

(1) The authority citation for part 21, subpart D is revised to read as follows:

Authority: 72 Stat. 1114; 38 U.S.C. 501(a).

2. Section 21.4025(a)(2) is revised and an authority citation is added to read as follows:

§ 21.4025 Nonduplication: Federal program.

(a) *Chapter 35.* * * *

(2) For a unit course or courses which—

(i) Are being paid for entirely or partly by the United States under the Government Employees' Training Act during any period that full salary is being paid to him or her as an employee of the United States, and

(ii) Are pursued during the individual's normal duty hours in lieu of regular work duties, including hours of authorized personal leave; or

(Authority: 38 U.S.C. 3681)

* * * * *

Subpart K—All Volunteer Force Educational Assistance Program (New GI Bill)

3. The authority citation for part 21, subpart K is revised to read as follows:

Authority: 38 U.S.C. chapter 30, Pub. L. 98–525; 38 U.S.C. 501(a).

4. In §21.7142 paragraph (c) and its authority citation are added to read as follows:

§ 21.7142 Nonduplication of educational assistance.

* * * * *

(c) *Nonduplication—Federal program.* Payment of educational assistance is prohibited to an otherwise eligible veteran or servicemember—

(1) For a unit course or courses which are being paid for entirely or partly by the Armed Forces during any period he or she is on active duty;

(2) For a unit course or courses which are being paid for entirely or partly by the Department of Health and Human Services during any period that he or she is on active duty with the Public Health Service; or

(3) For a unit course or courses which—

(i) Are being paid for entirely or partly by the United States under the Government Employees' Training Act during any period that full salary is being paid to him or hear as an employee of the United States, and

(ii) Are pursued during the individual's normal duty hours in lieu of regular work duties, including hours of authorized personal leave.

(Authority: 38 U.S.C. 3034, 3681)

[FR Doc. 92–6026 Filed 3–13–92;8:45 am]

BILLING CODE 8320–01–M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. FEMA–7040]

Federal Insurance Administration; Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations and proposed base flood elevation modifications listed below for selected locations in the nation. These base (100-year) flood elevations are the basis for the floodplain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the

National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety (90) days following the second publication of the proposed rule in a newspaper of local circulation in the community.

ADDRESSES: See table below.

FOR FURTHER INFORMATION CONTACT: William R. Locke, Chief, Risk Studies Division, Federal Insurance Administration, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-2754.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency gives notice of the proposed determinations of base (100-year) flood elevations and modified base flood elevations for selected locations in the nation, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 400-4128, and 44 CFR 67.4(a).

These elevations, together with the floodplain management measures required by section 60.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

Pursuant to the provisions of 5 U.S.C. 605(b), the Administrator, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that the proposed flood elevation determinations, if promulgated, will not have a significant economic impact on a substantial number of small entities. A flood elevation determination under section 1363 forms the basis for new local ordinances, which, if adopted by a local elevation determinations, however, impose no restriction unless and until the local community voluntarily adopts floodplain ordinances in accord with these elevations. Even if ordinances are adopted in compliance with Federal standards, the elevations prescribe how high to build in the floodplain and do not prohibit development. Thus, this action only forms the basis for future local actions. It imposes no new requirement; of itself it has no economic impact.

List of Subjects in 44 CFR Part 67

Flood insurance, Floodplains.

PART 67—[AMENDED]

1. The authority citation for part 67 continues to read as follows:

Authority: 42 U.S.C. 4001 et. seq., Reorganization Plan No. 3 of 1978, E.O. 12127.

2. The proposed base (100-year) flood elevations for selected locations are:

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS

Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD)
NEW JERSEY	
Mendham (borough), Morris County	
North Branch Raritan River:	
At Ironia Road	*423
At Mountain Avenue	*497
Maps available for inspection at the Mendham Borough Hall, 2 West Main Street, Mendham, New Jersey.	
Send comments to The Honorable William Steelman, Mayor of the Borough of Menham, Morris County, 2 West Main Street, Mendham, New Jersey 07945.	
TEXAS	
Buda, City (Hays County)	
Onion Creek:	
Approximately 350 feet downstream of State Route 967	*688
Approximately 0.59 mile upstream of State Route 967	*695
Maps available for inspection at the Buda City Hall, Main Street, Buda, Texas.	
Send comments to The Honorable James Hollis, Mayor of the City of Buda, Hays County, P.O. Box 1218, Buda, Texas 78610.	
Manor (city), Travis County	
Gilleland Creek:	
At upstream face of Parsons Street	*508
At downstream face of eastbound U.S. Route 290	*513
Maps available for inspection at the Manor City Hall, 201 E. Parsons, Manor, Texas.	
Send comments to The Honorable Gilbert Weiss, Mayor of the City of Manor, Travis County, 201 E. Parons, Manor, Texas 78653.	
Hays County (unincorporated areas)	
San Marcos River:	
Approximately 0.4 mile downstream of confluence of Bypass Creek	*552
Approximately 1.8 miles upstream of confluence of Blanco River	*574
Plum Creek:	
At the old State Route 21	*542
Approximately 0.9 mile upstream of Union Pacific Railroad	*731
Stream Plum-1:	
At confluence with Plum Creek	*632
Approximately 0.7 mile upstream of Union Pacific Railroad	*727
Brushy Creek:	
At State Route 21	*543
Approximately 0.8 mile upstream of dam	*683
Stream Brushy-1:	
At confluence with Brushy Creek	*557
Approximately 640 feet upstream of County Route 131	*645
Stream Brushy-1A:	
At confluence with Stream Brushy-1	*597
Approximately 0.5 mile upstream of County Route 157	*631
Cottonwood Creek:	
Approximately 200 feet downstream of County Route 266	*593
Approximately 1,590. feet upstream of confluence of Stream CC-2	*648
Stream CC-1:	
At confluence with Cottonwood Creek	*602
At upstream corporate limits	*606
Stream CC-2:	
At confluence with Cottonwood Creek	*644
Approximately 0.3 mile upstream of County Route 2439	*711
Stream CC-2D:	
At confluence with Cottonwood Creek	*637
At upstream corporate limits	*641
Blanco River:	
At confluence with San Marcos River	*572
Approximately 6.2 miles upstream of County Route 181	*1,029
Lone Man Creek:	
At confluence with Blanco River	*767
Approximately 3.2 miles upstream of Deer Lake Road	*1,044
Smith Creek:	
At confluence with Lone Man Creek	*877
Approximately 1.0 mile upstream of Deer Lake Road	*1,015
Cypress Creek:	
At confluence with Blanco River	*841
Approximately 1.5 miles upstream of confluence of Stream Cypress-1	*1,004
Stream Cypress-1:	
At confluence with Cypress Creek	*971
Approximately 0.7 miles upstream of dam	*1,035
Wilson Creek:	
At confluence with Blanco River	*848
Approximately 0.9 mile upstream of dam	*1,006
Willow Springs Creek:	
At downstream corporate limits	*638
Approximately 0.5 mile upstream of McCarty Lane	*716
Stream Tributary WS-1:	
At confluence with Willow Springs Creek	*672
Approximately 600 feet upstream of McCarty Lane	*708
Purgatory Creek:	
At downstream corporate limits	*607
Approximately 3.8 miles upstream of SCS Dam No. 4	*910
Stream Tributary PC-1:	
At confluence with Purgatory Creek	*656
Approximately 1.2 miles upstream of McCarty Lane	*793
Sink Creek:	
At Limekiln Road	*586
Approximately 4.4 miles upstream of SCS Dam No. 1	*802
Onion Creek:	
Approximately 680 feet downstream of County boundary	*648
Approximately 6.1 miles upstream of U.S. Route 12	*1,146
Bear Creek:	
Approximately 100 feet downstream of County boundary	*805
Approximately 1.9 miles upstream of FM 1826	*983
Little Bear Creek:	
At most downstream County boundary	*655
Approximately 3.6 miles upstream of confluence of Stream LB-1	*815
Stream LB-1:	
At confluence with Little Bear Creek	*743
Approximately 1.4 miles upstream of confluence with Little Bear Creek	*791
Stream Bear-1:	
At confluence with Bear Creek	*848

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD)
Approximately 140 feet upstream of County boundary	*924
Stream Bear-1A:	
At confluence with Stream Bear-1	*851
Approximately 1.9 miles upstream of FM 1826	*1,036
Stream Bear-2:	
At confluence with Bear Creek	*850
Approximately 0.9 mile upstream of confluence with Bear Creek	*920
Barton Creek:	
At County boundary	*951
Approximately 850 feet upstream of confluence of Schoolhouse Hollow	*1,135
Long Branch:	
At County boundary	*1,036
Approximately 125 feet upstream of dam	*1,160
Stream BC-1	
At confluence with Barton Creek	*955
Approximately 0.6 mile upstream of confluence of BC-1A	*1,151
Stream BC-1A	
At confluence with Stream BC-1	*1,085
Approximately 1,870 feet upstream of confluence with Stream BC-1	*1,124

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD)
Roy Branch:	
At confluence with Barton Creek	*962
Approximately .4 mile upstream of Oakwood Lane	*1,105
Cottonwood Branch:	
At confluence with Roy Branch	*993
Approximately 1,620 feet upstream of Right Bank Dam	*1,096
Little Barton Creek:	
At confluence with Barton Creek	*996
Approximately 1.7 miles upstream of State Route 12	*1,246
Stream BC-2:	
At confluence with Barton Creek	*1,100
Approximately .9 mile upstream of confluence of Stream BC-2A	*1,227
Stream BC-2A	
At confluence with Stream BC-2	*1,154
Approximately 1.0 mile upstream of confluence with Stream BC-2	*1,236
Schoolhouse Hollow:	
At confluence with Barton Creek	*1,123
Approximately 275 feet upstream of confluence of Stream SH-1	*1,192

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD)
Stream SH-1:	
At confluence with Schoolhouse Hollow	*1,186
Approximately 0.7 mile upstream of confluence with Schoolhouse Hollow	*1,262
Bypass Creek:	
Approximately .9 mile downstream of confluence of Bypass Creek Tributary-2	*567
Approximately 1 mile upstream of Uhland Road	*607
Bypass Creek Tributary-2:	
At downstream corporate limits	*580
Approximately 680 feet upstream of Uhland Road	*597

Maps available for inspection at the County Courthouse, Broadway, San Marcos, Texas.

Send comments to The Honorable Eddy Etheredge, Hays County Judge, Hays County Courthouse, San Marcos, Texas 78666.

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3. The proposed modified base (100-year) flood elevations for selected locations are:

PROPOSED MODIFIED BASE (100-YEAR) FLOOD ELEVATIONS

State	City/town/county	Source of flooding	Location	#Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
Arizona	City of Tucson Pima County.	Santa Cruz River	Approximately 5,750 feet downstream of El Camino Del Cerro.	* 2,219	* 2,218
			Approximately 50 feet upstream of El Camino Del Cerro.	* 2,236	* 2,234
			At Sweetwater Drive	* 2,255	* 2,256
			Approximately 100 feet downstream of the confluence with Silvercroft Wash.	* 2,281	* 2,279
			Approximately 200 feet upstream of West Grant Road.	* 2,303	* 2,305
			Approximately 100 feet upstream of West Speedway Boulevard.	* 2,322	* 2,323
			Approximately 50 feet downstream of West Congress Street.	* 2,341	* 2,343
			Approximately 100 feet upstream of Silverlake Road.	* 2,367	* 2,370
			Approximately 20 feet downstream of Ajo Way	* 2,396	* 2,397
			Approximately 100 feet upstream of Irvington Road.	* 2,415	* 2,415
			At Valencia Road	* 2,456	* 2,459
			Approximately 6,300 feet upstream of Valencia Road (at Tucson Corporate Limits).	* 2,471	* 2,475
		Rillito Creek	Approximately 2,000 feet downstream of North Oracle Road (U.S. Highways 80 and 89).	* 2,294	* 2,290
			Just upstream of North First Avenue	* 2,322	* 2,316
			Approximately 50 feet downstream of North Campbell Avenue.	* 2,341	* 2,337
			Approximately 3,400 feet downstream of Dodge Boulevard.	None	* 2,374
			Just upstream of Dodge Boulevard	* 2,383	* 2,382
			Just downstream of Swan Road	* 2,408	* 2,406
		Sabino Creek	At the confluence of Tanque Verde Creek	* 2,498	* 2,492
			Approximately 1,200 feet upstream of the confluence with Tanque Verde Creek.	* 2,501	* 2,497
			Approximately 3,775 feet upstream of the confluence with Tanque Verde Creek.	* 2,505	* 2,506
			Approximately 4,800 feet upstream of the confluence with Tanque Verde Creek.	* 2,508	* 2,511
		Hidden Hills Wash	Approximately 100 feet downstream of Rosewood Street.	* 2,629	* 2,629
			Approximately 20 feet upstream of Fifth Street	* 2,658	* 2,656
			Approximately 80 feet downstream of Golden West Street.	* 2,688	* 2,684

PROPOSED MODIFIED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
			Approximately 175 feet downstream of East Broadway Boulevard.	* 2,702	* 2,702
		Enchanted Hills Wash	Approximately 120 feet upstream of the confluence with West Branch Santa Cruz.	* 2,394	* 2,396
			Approximately 80 feet upstream of Mission Road.	* 2,415	* 2,417
			Approximately 880 feet upstream of Mission Road.	* 2,430	* 2,426
			Approximately 1,320 feet upstream of Mission Road.	* 2,435	* 2,435
		Alamo Wash	Approximately 200 feet downstream of East Grant Road.	* 2,485	* 2,477
			Approximately 120 feet downstream of East Pima Street.	* 2,510	* 2,507
			Approximately 60 feet upstream of Speedway Boulevard.	* 2,532	* 2,534
			Approximately 20 feet upstream of East Broadway.	* 2,571	* 2,572
			Approximately 60 feet downstream of southbound Wilmot Road.	* 2,584	* 2,583
			Approximately 60 feet upstream of East 22nd Street.	* 2,630	* 2,631
			At Golf Links Road	* 2,673	* 2,670
			Approximately 60 feet upstream of Golf Links Road.	None	* 2,672
		Robb Wash	Approximately 1,000 feet downstream of Pima Street.	* 2,540	* 2,540
			Approximately 550 feet downstream of Pima Street.	* 2,547	* 2,545
			Just upstream of Pima Street	* 2,549	* 2,549
		Arcadia Wash	Approximately 400 feet upstream of Glenn Street.	* 2,448	* 2,444
			Approximately 100 feet downstream of East Grant Road.	* 2,463	* 2,455
			Approximately 75 feet downstream of Seneca Street.	* 2,475	* 2,467
			Approximately 100 feet upstream of East Pima Street.	* 2,483	* 2,483
		Railroad Wash	At the confluence with Tucson Arroyo	* 2,430	* 2,430
			Just upstream of 18th Street	None	* 2,434
			Just downstream of Aviation Avenue	None	* 2,442
			Just downstream of 36th Street	None	* 2,491
		Rodeo Wash	At Elizabeth Drive	None	* 2,422
			At South 12th Avenue	None	* 2,441
			At South Sixth Avenue	None	* 2,473
			Just upstream of South Park Avenue	None	* 2,506
Maps are available for review at the Tucson City Engineer's Office, County-City Public Works Building, 201 North Stone Avenue, Third floor, Tucson, Arizona Send comments to The Honorable George Miller, Mayor, City of Tucson, P.O. Box 27210, Tucson, Arizona 85726-7210.					
California	City of Folsom	Humbug Creek	At East Bidwell Street	*285	*285
	Sacramento County		One hundred feet upstream of Oak Avenue Parkway.	*343	*345
			Approximately 1,800 feet upstream of Oak Avenue Parkway.	None	*351
Maps are available for review at the Public Works Department, Engineering Division, 300 Persifer Street, Folsom, California. Send comments to The Honorable John E. Kipp, Mayor, City of Folsom, 50 Natoma Street, Folsom, California 95630.					
California	Lake County	Cache Creek	At the confluence with Copsey Creek	*1,330	*1,331
			Approximately 3,000 feet downstream of Lake Street.	*1,329	*1,331
			Approximately 1,000 feet downstream of Lake Street.	*1,328	*1,331
			At Lake Street	*1,329	*1,331
			At State Highway 53	*1,330	*1,331
		Seigler Canyon Creek	At the confluence with Cache Creek	*1,330	*1,331
Maps are available for review at the Lake County Flood Control and Water Conservation District, 255 North Forbes Street, Lakeport, California. Send comments to The Honorable Gary Lambert, Chairperson, Lake County Board of Supervisors, 255 North Forbes Street, Lakeport, California 95453.					
California	Town of Mammoth Lakes Mono County.	Mammoth Creek	Approximately 650 feet downstream of Old Mammoth Road.	None	*7,823
			Just upstream of Minaret Road	None	*7,878
			At Waterford Street	None	*7,928
			Just upstream of Sherwin Street	None	*7,976
			Approximately 350 feet upstream of Western Street.	None	*8,006

PROPOSED MODIFIED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
		Mammoth Creek Tributary	At convergence with Mammoth Creek	None	*7,887
			At Waterford Street	None	*7,929
			At divergence from Mammoth Creek	None	*7,950
		Sherwin Street Tributary	At convergence with Mammoth Creek	None	*7,942
			Just upstream of Sherwin Street		
			At divergence from Mammoth Creek	None	*7,992
Maps are available for review at City Hall, 437 Old Mammoth Road, Suite R, Mammoth Lakes, California. Send comments to The Honorable Duffy Wright, Mayor, Town of Mammoth Lakes, P.O. Box 1609, Mammoth Lakes, California 93546.					
California	Riverside County Unincorporated Areas	Perris Valley Storm Drain	At Orange Avenue	*1,432	*1,430
			Approximately 2,600 feet upstream of Orange Avenue.	*1,435	*1,434
Maps are available for review at the Riverside County Flood Control and Water Conservation District, 1995 Market Street, Riverside, California. Send comments to the Honorable Norton Younglove, Chairman, Riverside County Board of Supervisors, 4080 Lemon Street, 14th Floor, Riverside, California 92501.					
Colorado	City of Aurora	Unnamed Creek	At the confluence with West Toll Gate Creek	*5,566	*5,561
			Approximately 3,000 feet upstream of the confluence with West Toll Gate Creek.	*5,580	*5,577
			Approximately 600 feet downstream of South Flanders Way.	*5,613	*5,614
			Approximately 1,300 feet upstream of South Flanders Way (at upstream limit of detailed study).	*5,626	*5,628
		East Toll Gate Creek	Approximately 1,900 feet upstream of First Avenue.	*5,433	*5,433
			Approximately 3,500 feet upstream of First Avenue.	*5,445	*5,446
			Approximately 1,250 feet downstream of Buckley Road.	*5,458	*5,451
			At Buckley Road	*5,464	*5,464
		Westerly Creek	Approximately 7,000 feet upstream of mouth	*5,306	*5,306
			At Montview Boulevard	*5,314	*5,314
			At Beeler Street	*5,321	*5,319
			At Sixth Avenue	*5,325	*5,324
			At 14th Avenue	*5,335	*5,331
Maps are available for review at the Engineering Department, 1470 South Havana Street, Aurora, Colorado. Send comments to The Honorable Paul Tauer, Mayor, City of Aurora, 1470 South Havana Street, Aurora, Colorado 80012.					
Colorado	City of Colorado Springs, El Paso County.	South Shooks Run	At the confluence with Fountain Creek	*5,899	*5,898
			Just downstream of Costilla Street	*5,955	*5,950
			Approximately 150 feet upstream of Willamette Avenue.	*6,009	*6,008
			Approximately 1,650 feet upstream of East San Miguel Street.	*6,063	*6,060
		Templeton Gap Floodway	Just downstream of Hopeful Drive	None	*6,460
			Just downstream of Barnes Road	None	*6,505
		Templeton Gap South Overflow.	At the confluence with Templeton Gap Floodway.	*6,368	*6,368
			At Academy Boulevard	None	*6,407
			Approximately 1,450 feet upstream of Half Turn Road.	None	*6,422
		Cheyenne Run	At the confluence with Cheyenne Creek	None	*5,930
			At Lorraine Street	None	*5,981
			Approximately 550 feet downstream of the intersection of Skyway Boulevard and Saturn Drive.	None	*6,045
			At the intersection of Skyway Boulevard and Mars Drive.	None	#1
		Templeton Gap South Tributary.	Just downstream of Hopeful Drive	None	*6,455
			Approximately 100 feet downstream of Picturesque Drive.	None	*6,472
		Spring Run	At the confluence with Fountain Creek	None	*5,856
			Just downstream of Southgate Road	None	*5,935
			Approximately 200 feet downstream of South Nevada Avenue.	None	*5,976
			Approximately 250 feet downstream of Springmeadow Drive.	None	*6,058
		Spring Run Overflow	At the confluence with Spring Run	None	*5,896
			Approximately 400 feet upstream of South El Paso Avenue.	None	*5,911
			Approximately 500 feet upstream of South El Paso Avenue.	None	#1
		Sand Creek West Fork	At the confluence with Sand Creek	None	*6,125

PROPOSED MODIFIED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
			At Murray Boulevard	None	*6,208
			Just downstream of Colorado and Eastern Railroad.	None	*6,255
			Just downstream of Maizeland Road	None	*6,305
			Just downstream of Oro Blanco Drive	None	*6,436
			Approximately 2,350 feet upstream of Oro Blanco Drive.	None	*6,528
			At the intersection of Murray Boulevard and Galley Road.	None	#2
Maps are available for review at the Regional Building Department, 101 West Costilla Street, Colorado Springs, Colorado. Send comments to The Honorable Robert M. Isaac, Mayor, City of Colorado Springs, 30 South Nevada Street, Colorado Springs, Colorado 80903.					
Colorado	El Paso County Unincorporated Area.	Templeton Gap Floodway	Approximately 450 feet upstream of the Academy Boulevard bridge.	*6,423	6,422
			Approximately 50 feet downstream of the Hopeful Drive Bridge.	*6,459	*6,460
			Approximately 150 feet west of the intersection of Hopeful Drive and Blissful Circle North.	*6,459	#1
		Templeton Gap, South Tributary.	At the confluence with Templeton Gap Floodway.	*6,455	*6,450
			At the intersection of Hopeful Drive and Blissful Circle South.	None	*6,457
			Approximately 150 feet north of the intersection of Hopeful Drive and Blissful Circle North.	*6,459	#1
		Sand Creek Center, Tributary	Approximately 1,075 feet downstream of Galley Road.	*6,229	*6,229
			Just downstream of Omaha Boulevard	*6,297	*6,304
			Approximately 1,900 feet upstream of Omaha Boulevard.	None	*6,345
		Sand Creek Center, Tributary Overflow.	At the convergence with Sand Creek Center Tributary at Galley Road.	*6,425	*6,245
			At the intersection of Paonia Street and Paonia Court.	None	*6,273
			At the intersection of Paonia Street and Omaha Boulevard.	None	*6,302
			At the divergence from Sand Creek Center Tributary.	None	*6,304
		Sand Creek East Fork Subtributary.	At the confluence with Sand Creek East Fork	*6,418	*6,418
			Just downstream of Genoa Road	*6,501	*6,494
			Just upstream of Colorado and Eastern, Cadillac and Lake City Railroad.	*6,544	*6,545
			Approximately 1,600 feet upstream of Colorado and Eastern, Cadillac and Lake city Railroad.	*6,562	*6,562
		Crystal Creek	Approximately 100 feet upstream of Interstate 25.	None	*7,057
			Just upstream of Willow Parkway	None	*7,077
			Approximately 1,050 feet upstream of Willow Parkway.	None	*7,094
		Dirty Woman Creek	Approxiamtely 3,100 feet downstream of South Park Drive.	None	*7,051
			Just upstream of South Park Drive	None	*7,114
			Approximately 400 feet upstream of Lake Woodmoor Drive.	None	*7,131
		Fisher Canyon	Just downstream of Maxwell Street	None	*5,779
			Just upstream of Interstate 25	None	*5,789
			Just downstream of B Street	None	*5,847
			Just downstream of Loomis Avenue	None	*5,853
		Jimmy Camp West Tributary	At the confluence with Jimmy Camp Creek	None	*5,572
			Just downstream of Mark Sheffel Road	None	*5,613
			At the divergence of Jimmy Camp Creek West Tributary south overflow.	None	*5,635
			Just upstream of dam	None	*5,677
			Approximately 5,000 feet upstream of dam	None	*5,705
		Jimmy Camp West Tributary South Overflow.	At the confluence with Jimmy Camp Creek	None	*5,608
			At the Furlong Circle bridge	None	*5,621
			Just upstream of Mark Sheffel Road	None	*5,633
			At the divergence from Jimmy Camp West Tributary.	None	*5,635

PROPOSED MODIFIED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
Maps are available for review at the Regional Building Department, 101 West Costilla Street, Colorado Springs, Colorado. Send comments to The Honorable Gary Shoup, Chairman, El Paso County Board of Commissioners, 27 East Vermijo Street, Colorado Springs, Colorado 80903.					
Connecticut	Killingworth, Town, Middlesex County.	Hammonasset River	Upstream side of State Route 80	None	*214
			Approximately 2,000 feet upstream of State Route 79.	None	*315
Maps available for inspection at the Killingworth Town Office, 323 Route 81, Killingworth, Connecticut. Send comments to Mr. Gerald B. Lucas, First Selectman for the Town of Killingworth, Middlesex County, 323 Route 81, Killingworth, Connecticut 06419.					
Connecticut	Madison, Town, New Haven County.	Hammonasset River (upper reach).	Upstream side of State Route 80	None	*214
			Approximately 2,000 feet upstream of State Route 79.	None	*315
		Neck River	Upstream side of Goulds Pond Dam	None	*77
			Approximately 1,450 feet upstream of Bradley Comus Road.	None	*230
		Iron Stream	At State Route 80	None	*97
			At Race Hill Road	None	*217
Maps available for inspection at the Madison Town Clerk's Office, 8 Meetinghouse Lane, Madison, Connecticut. Send comments to Mr. Thomas R. Rylander, First Selectman for the Town of Madison, New Haven County, 8 Meetinghouse Lane, Madison, Connecticut 06443.					
Georgia	City of McCaysville, Fannin County.	Toccoa River	About 630 Feet downstream of Grand Street	None	*1460
			About 625 Feet upstream of CSX railroad	None	*1468
		Fightingtown Creek	About 1690 Feet downstream of West Tennessee Avenue.	None	*1459
			About 900 Feet upstream of West Tennessee Avenue.	None	*1463
Maps available for inspection at the City Hall, Tennessee Avenue, Highway 5, McCaysville, Georgia. Send comments to The Honorable Barbara Thomas, Mayor, City of McCaysville, P.O. Box 6, McCaysville, Georgia 30555.					
Illinois	City of Geneseo, Henry County.	Geneseo Creek	About 700 feet downstream of Elk Street	None	*615
			About 0.94 mile upstream of Interstate 80	*644	*643
Maps available for inspection at the City Hall, 101 South State Street, Geneseo, Illinois. Send comments to The Honorable Thomas Gorman, Mayor, City of Geneseo, 101 South State Street, P.O. Box 64, Geneseo, Illinois 61254.					
Iowa	City of Cascade, Dubuque and Jones Counties.	North Fork, Maquoketa River	About 3600 feet downstream of U.S. Highway 151.	None	*812
			About 2000 feet upstream of U.S. Highway 151.	*823	*822
Maps available for inspection at the City of Cascade, City Clerk Office, 320 First Avenue West, Cascade, Iowa. Send commends to The Honorable Francis Mantemach, Mayor, City of Cascade, 320 First Avenue West, Cascade, Iowa 52033.					
Iowa	City of Clive, Polk and Dallas Counties.	Walnut Creek	Just upstream of 73rd Street	*832	*832
			Just downstream of U.S. Highway 6	None	*878
		South Walnut Creek	At mouth	None	*878
			Just downstream of Clive Lake Dam	None	*895
			Just upstream of Clive Lake Dam	None	*908
			About 3000 feet upstream of Clive Lake Dam	*909	*909
		North Walnut Creek	At mouth	*832	*832
			About 3050 feet upstream of University Avenue.	*838	*835
Maps available for inspection at the Building Department, 9289 Swanson Boulevard, Clive, Iowa. Send comments to The Honorable Gene Maddox, Mayor, City of Clive, 8505 Harbach Boulevard, Clive, Iowa 50325.					
Iowa	Unincorporated Areas of Polk County.	Des Moines River	About 2.3 miles downstream of State Highway 46.	None	*780
			Just downstream of Saylorville Dam	None	*812
		Rock Creek	At mouth	None	*812
			Just downstream of County Road	*813	*813
		Yeader Creek	About 1100 feet upstream of Indianola Road	None	*824
			About 400 feet downstream of Southeast 14th Street.	None	*831
		Easter Lake	Along shoreline	None	*818
		Raccoon River	Just upstream of First Street	None	*814
			Abut 1.7 miles upstream of Interstate 35	None	*831
		Saylor Creek	At mouth	None	*804
			About 500 feet downstream of State Highway 415.	None	*875
		Beaver Creek	At mouth	None	*805
			About 3200 feet upstream of Chicago and Northwestern Railroad.	None	*807

PROPOSED MODIFIED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
		Muchikinock Creek	At mouth	None	*839
			About 2300 feet upstream of Northeast 46th Street.	None	*921
		Spring Creek	Just upstream of Vandalia Drive	None	*781
			Just upstream of Southeast 82nd Street	*784	*784
		North Walnut Creek	At county boundary	*892	*890
			Just downstream of Northwest 100th Street	*907	*900
			About 300 feet upstream of Northwest 100th Street.	*913	*906
		Mud Creek	At mouth	None	*780
			Just upstream of Southeast 56th Avenue	*780	*780
Maps available for inspection at the Physical Planning Department, 5895 Northeast 74th Street, Des Moines, Iowa. Send comments to The Honorable Martha Willits, Chairperson, Polk County Board of Supervisors, Polk County Administration Building, 2nd & Court Streets, Des Moines, Iowa 50309.					
Iowa	City of Windsor Heights, Polk County.	North Walnut Creek	Just upstream of University Avenue	*834	*834
			Just downstream of Hickman Road	*847	*846
Maps available for inspection at the City Hall, 1133 66th Street, Windsor Heights, Iowa. Send comments to The Honorable Clarence Millsap, Mayor, City of Windsor Heights, 1133 66th Street, Windsor Heights, Iowa 50331.					
Maine	Pittston, Town, Kennebec County.	Eastern River	At downstream corporate limits	None	*13
			Approximately 80 feet above State Route 194	None	*103
Maps available for inspection at the Town Office, State Route 126, Gardiner, Maine. Send comments to Mr. Roy Gutsfinski, First Selectman for the Town of Pittston, Kennebec County, Route 2, Box 9A, Gardiner, Maine 04345.					
Maryland	Perryville, Town, Cecil County.	Susquehanna River	For its entire shoreline affecting the community	*8	*12
Maps available for inspection at the Perryville Town Hall, 515 Broad Street, Perryville, Maryland. Send comments to The Honorable Oakley Sumpter, Mayor of the Town of Perryville, Cecil County, P.O. Box 773, Perryville, Maryland 21903					
Massachusetts	Abington, Town Plymouth County.	Stream River	Approximately 140 feet downstream of Walnut Street.	None	*80
			Approximately 100 feet upstream of Ashland Street.	None	*127
Maps available for inspection at the Abington Town Hall, 33 Randolph Street, Abington, Massachusetts. Send comments to Ms. Susan Meier, Chairman of the Town of Abington Board of Selectmen, Plymouth County, P.O. Box 98, Abington, Massachusetts 02351.					
Massachusetts	Lowell, City, Middlesex County.	Merrimack River	Downstream corporate limits	*59	*58
			Approximately 200 feet upstream of School Street.	*96	*95
	xl	Concord River	At confluence with Merrimack River	*65	*67
			Approximately 300 feet downstream of State Route 110 (Church Street).	*66	*67
	xl	Beaver Brook	At confluence with Merrimack River	*70	*71
			Downstream side of Beaver Street	*70	*71
Maps available for inspection at the Lowell City Hall, Planning and Zoning Department, 50 Arcand Drive, Lowell, Massaschusetts. Send comments to Mr. James J. Campbell, Lowell City Manager, Middlessex County, City Hall, 375 Merrimack Street, Lowell, Massachusetts 01852.					
Massachusetts	Middlefield, Town Hampshire County.	Middle Branch Westfield River	At the downstream County boundary	None	*778
			At the upstream corporate limits	None	*1,010
		West Branch Westfield River	At the downstream County boundary	None	*732
			Approximately 820 feet upstream of CONRAIL	None	*746
Map available for inspection at the Middlefield Town Hall, Skyline Trail, Middlefield, Massachusetts. Send comments to Mr. Ronald Radwich, Chairman of the Town of Middlefield Board of Selectmen, Hampshire County, Middlefield Town Hall, Skyline Trail, Middlefield, Massachusetts 01243.					
Massachusetts	Pepperell, Town Middlesex County.	Varnum Brook	At confluence with Nashua River	None	*185
			Approximately 65 feet upstream of Hollis Street.	None	*241
		Greens Brook	At confluence with Varnum Brook	None	*233
			Approximately 140 feet upstream of Elm Street	None	*255
Map available for inspection at the Pepperell Town Office, 1 Main Street, Pepperell, Massachusetts. Send comments to Mr. Scott Blackburn, Chairman of the Town of Pepperell Board of Selectmen, Middlesex County, 1 Main Street, Pepperell, Massachusetts 01463.					
Michigan	City of Kalamazoo, Kalamazoo County.	Portage Creek	At mouth	None	*762
			Just downstream of Bryant Mill Pond dam	None	*773
			Just upstream Bryant Mill Pond dam	None	*789
			Just downstream of Monarch Paper Mill dam	None	*802
			Just upstream of Monarch Paper Hill dam	None	*812
			About 2,200 feet upstream of Kilgore Road	None	*824

PROPOSED MODIFIED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
Map available for inspection at the City Hall, City Clerk's Office, 2nd floor, Kalamazoo, Michigan. Send comments to The Honorable Edward Annen, Mayor City of Kalamazoo, City Hall, 241 West South Street, Kalamazoo, Michigan 49007–4796.					
Minnesota	City of Hopkins, Hennepin County.	Minnehaha Creek	Just downstream of County Highway 73	*912	*912
			About 780 feet up stream of County Highway 73.	*914	*912
Map available for inspection at the City Hall, 1010 First Street South, Hopkins, Minnesota. Send comments to The Honorable Nelson Berg, Mayor, City of Hopkins, City Hall, 1010 First Street South, Hopkins, Minnesota.					
Minnesota	City of Independence, Hennepin County.	South Fork Crow River	Within community	*919	*915
Map available for inspection at the Cith Hall, City Clerk's Office, 1790 County Road 90, Maple Plain, Minnesota. Send comments to The Honorably Marvin Johnson, Mayor, City of Independence, 6325 County Road 6, Maple Plain, Minnesota 55259.					
Minnesota	City of Minnetonka, Hennepin County.	Minnehaha Creek	About 3000 feet downstream of County Highway 73.	*910	*910
			Just downstream of Burlington Northern Railroad.	*915	*913
			Just upstream of Interstate 494 Ramp	None	*931
Maps available for inspection at the Engineering Department, 14600 Minnetonka Boulevard, Minnetonka, Minnesota. Send comments to The Honorable James F. Miller, City Manager, City of Minnetonka, 14600 Minnetonka Boulevard, Minnetonka, Minnesota 55345.					
Mississippi	Town of Terry, Hinds County.	Rhodes Creek	Just downstream of Illinois Central Railroad	*264	*265
			Just downstream of East Frontage Road	*271	*275
Maps available for inspection at the Town Hall, Terry, Mississippi. Send comments to The Honorable Lester Williams, Mayor, Town of Terry, P.O. Box 327, Terry, Mississippi 39170.					
Missouri	City of Smithville, Clay County.	Little Platte River	About 1750 feet downstream of confluence of Owens Branch.	*811	*813
			About 1.1 miles upstream of confluence of Wilkerson Creek.	*815	*814
		Owens Branch	At mouth	*812	*813
			About 2680 feet upstream of State Highway KK.	*822	*814
			About 0.9 mile upstream of U.S. Highway 169	None	*845
		Second Creek	At mouth	*812	*814
			About 1500 feet upstream of Main Street	*826	*814
		Wilkerson Creek	At mouth	*813	*814
			About 1080 feet upstream of State Highway DD.	*817	*814
Maps available for inspection at the City of Smithville, 107 West Main Street, Smithville, Missouri. Send comments to The Honorable David Ross, Mayor, City of Smithville, 107 West Main Street, P.O. Box B, Smithville, Missouri 64089 .					
Montana	City of Kalispell, Flathead County.	Ashley Creek	Approximately 1,850 feet downstream of Airport Road.	None	*2,921
			Approximately 100 feet downstream of Airport Road.	*2,922	*2,921
			Approximately 200 feet upstream of Airport Road.	*2,923	*2,922
			Approximately 50 feet downstream of Begg Park Drive.	*2,923	*2,922
			Approximately 50 feet upstream of Begg Park Drive.	*2,923	*2,924
			Approximately 1,150 feet upstream of Begg Park Drive.	*2,923	*2,924
			Approximately 2,500 feet upstream of Begg Park Drive.	*2,923	*2,924
			Approximately 250 feet northeast of the intersection of Fifth Avenue West and Sunnyside Drive.	None	*2,925
			Approximately 250 feet southeast of the intersection of Fifth Avenue West and Sunnyside Drive.	None	*2,925
			Approximately 1,500 feet downstream of Sunnyside Drive.	None	*2,925
			Approximately 5,000 feet downstream of Foys Lake Road.	None	*2,928
			Approximately 850 feet downstream of Foys Lake Road.	*2,930	*2,930

PROPOSED MODIFIED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
Maps available for review at the City of Kalispell, Building Department, 248 Third Avenue East, Kalispell, Montana. Send comments to The Honorable Douglas D. Rauthe, Mayor, City of Kalispell, P.O. 1997, Kalispell, Montana 59903-1997.					
Nebraska	City of Fairbury, Jefferson County.	Little Blue River	About 1.7 miles downstream of State Highway 15.	*1292	*1294
			Just downstream of Lea Mill Dam	*1305	*1306
			Just upstream of Lea Mill Dam	*1306	*1312
			Just downstream of Oklahoma, Kansas, Texas Railroad (upstream of U.S. Highway 136).	*1324	*1324
Maps available for inspection at the City Hall, 612 D Street, Fairbury, Nebraska. Send comments to The Honorable Lewis J. Mason, Mayor, City of Fairbury, City Hall, 612 D Street, Fairbury, Nebraska 68352.					
Nebraska	City of Scribner, Dodge County.	Pebble Creek	About 0.4 mile downstream of 11th Street	*1252	*1248
			About 0.8 mile upstream of County Road 13	*1262	*1262
Maps available for inspection at the City Clerk's Office, 415 3rd Street, Scribner, Nebraska. Send comments to The Honorable Dennis W. Baumert, Mayor, City of Scribner, P.O. Box 289, Scribner, Nebraska 68057.					
New Jersey	Pequannock, Township, Morris County.	East Ditch	Approximately 900 feet upstream of Sunset Road.	*191	*190
			Approximately 150 feet downstream of Mountain Avenue.	*198	*197
		Northern Tributary	Aproximately 575 feet upstream of confluence with East Ditch.	*191	*192
			Approximately 130 feet upstream of Mountain View Road.	None	*234
		Southern Tributary	At confluence with Northern Tributary	*191	*192
			Approximately 0.4 mile upstream of confluence with Northern Tributary.	None	*198
		Western Tributary	Approximately 250 feet upstream of confluence with Southern Tributary.	*197	*198
			Approximately 0.3 mile upstream of confluence with Southern Tributary.	None	*225
Maps available for inspection at the Planning and Zoning Department, 530 Newark Pompton Turnpike, Pompton Plains, New Jersey. Send comments to Mr. Thomas F. Kane, Pequannock Township Manager, Morris County, 530 Newark Pompton Turnpike, Pompton Plains, New Jersey 07444.					
New York	Afton, Town, Chenango County.	Susquehanna River	Approximately 200 feet downstream of the downstream corporate limits.	*963	*964
			Approximately 5,250 feet downstream of corporate limits.	*975	*976
Maps available for inspection at the Afton Town Hall, 169 Main Street, Afton, New York. Send comments to Mr. Robert D. Briggs, Afton Town Supervisor, Chenango County, R.D. 1, Box 950, Afton, New York 13730.					
New York	Afton, Village, Chenango County.	Susquehanna River	Approximately 600 feet upstream of downstream corporate limits.	*968	*969
			Approximately 700 feet downstream of the upstream corporate limits.	*970	*971
Maps available for inspection at the Afton Village Clerk's Office, 105107 Main Street, Afton, New York. Send comments to The Honorable C. Donald Hitchcock, Mayor of the Village of Afton, Chenango County, R.D. #2, Box 1399, Afton, New York 13730.					
New York	Colesville, Town, Broome County.	Susquehanna River	Approximately 1,200 feet downstream of the Ouaguaga Bridge.	*930	*931
			Approximately 0.4 mile upstream of Nineveh Bridge.	None	*964
Maps available for inspection at the Colesville Town Hall, Welton Street, Harpersville, New York. Send comments to Mr. Edward Mosher, Colesville Town Supervisor, Broome County, R.D. Port Crane, Colesville, New York 13833.					
New York	Greenfield, Town Saratoga County.	Kayaderosseras Creek	Approximately .2 mile downstream of Galway Road.	None	*522
			Approximately 500 feet upstream of State Route 9N.	None	*599
		South Branch	At the confluence with Kayaderosseras Creek	None	*575
			Approximately 10 feet upstream of Allen Road	None	*671
		Mud Creek	At the confluence with Kayaderosseras Creek	None	*599
			Approximately 10 feet upstream of dam	None	*626
Maps available for inspection at the Greenfield Town Hall, corner of Route 9N and Wilton Road, Greenfield Center, New York. Send comments to Mr. Ralph Stacey, Greenfield Town Supervisor, Saratoga County, Town of Greenfield, P.O. Box 10, Greenfield Center, New York 12833.					
New York	Saugerties, Town Ulster County.	Kate Yaeger Kill	Approximately 0.40 mile upstream of Brady Road.	*507	*508
			Approximately 0.55 mile upstream of Brady Road.	*514	*516

PROPOSED MODIFIED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
Maps available for inspection at the Saugerties Town Hall, Building inspector's Office, 310 Main Street, Saugerties, New York. Send comments to Mr. Vernon Benjamin, Saugerties Town Supervisor, Ulster County, Town Hall, Main Street, Saugerties, New York 12477.					
New York	Windsor, Town Broome County.	Susquehanna River	At a point approximately 800 feet upstream of the state boundary.	*914	*913
			At a point approximately 1,000 feet downstream of the upstream corporate limits.	*939	*940
Maps available for inspection at the Windsor Town Hall, Building and Zoning Department, 36 Main Street, Windsor, New York. Send comments to Mr. John J. Gray, Windsor Town Supervisor, Broome County, P.O. Box 42, Windsor, New York 13865.					
North Dakota	City of Emerado Grand Forks.	Hazen Brook Overflow	At the eastern corporate limits, approximately 100 feet upstream of County Highway No. 3.	None	*901
			Just upstream of East Hancock Avenue	None	*903
			Just upstream of West Court Drive	None	*907
		Hazen Brook	At the Burlington Northern Railroad Crossing of Hazen Brook.	None	*901
Maps available for review at City Hall, 101 Old Ham Street, City of Emerado, North Dakota. Send comments to The Honorable Richard Christensen, Mayor, City of Emerado, 23 West Court Drive, P.O. Box 132, Emerado, North Dakota 58228.					
Oklahoma	Bryan County Unincorporated Areas.	Red River	Approximately 2.2 miles downstream of State Route 120.	*515	*511
			Approximately 2.04 miles upstream of U.S. Routes 69 & 75.	*537	*536
		Lake Texoma (Washita River)	For its entire shoreline within the county	None	*647
Maps available for inspection at the Bryan County Courthouse, 402 Evergreen Street, 2nd Floor, Durant, Oklahoma. Send comments to Mr. Tony Morrison, Chairman of the Bryan County Board of Commissioners, Bryan County Courthouse, 402 Evergreen Street, Durant, Oklahoma 74701.					
Pennsylvania	Bristol, Township Bucks County.	Croydon Run	Approximately 100 feet downstream of Main Avenue and 4th Street.	*13	*12
			At downstream side of Dixon Avenue	*28	*27
Maps available for inspection at the Planning and Zoning Department, Bristol Township Office, 2501 Oxford Valley Drive, Levittown, Pennsylvania. Send comments to Mr. James Gallagher, Township of Bristol Executive, Bucks County, 2501 Oxford Valley Drive, Levittown, Pennsylvania 19057.					
Pennsylvania	Lower Chichester, Township Delaware County.	Naaman Creek	Approximately 150 feet downstream of downstream corporate limits.	None	*44
			At upstream corporate limits	None	*51
Maps available for inspection at the Lower Chichester Township Secretary's Office, Township Building, 1410 Market Street, Linwood, Pennsylvania. Send comments to Mr. Rocky Gaspari, President of the Township of Lower Chichester Board of Commissioners, Delaware County, 1410 Market Street, Linwood, Pennsylvania 19061.					
Pennsylvania	Montgomery, Township Franklin County.	Johnston Run	Approximately 275 feet downstream of Edwards Drive.	None	*517
			Approximately 350 feet upstream of Farm Access Road.	None	*572
Maps available for inspection at the Montgomery Township Building, 11364 Fort Loudon Road, Mercersburg, Pennsylvania. Send comments to Mr. Dean Metcalfe, Secretary-Treasurer of the Township of Montgomery, Franklin County, 12868 Fort Loudon Road, Mercersburg, Pennsylvania 17236.					
Pennsylvania	Peters, Township Franklin County.	Johnston Run	Approximately 275 feet downstream of T-404 (Edwards Drive).	None	*517
			Approximately 350 feet upstream of Farm Access Road.	None	*572
Maps available for inspection at the Peters Township Building, 5000 Steele Avenue, Lemasters, Pennsylvania. Send comments to Mr. John C. Brake, Chairman of the Township of Peters Board of Supervisors, Franklin County, P.O. Box 88, Lemasters, Pennsylvania 17231					
Pennsylvania	Springfield, Township, Montgomery County.	Sandy Run	Approximately 100 feet downstream of Valley Green Road.	*173	*178
			Approximately 125 feet upstream of the upstream corporate limits.	None	*184
		Wissahickon Creek	At Wissahickon Avenue	None	*140
			At upstream corporate limits	None	*141
Maps available for inspection at the Springfield Township Manager's Office, Township Building, 1510 Paper Mill Road, Wyndmoor, Pennsylvania. Send comments to Mr. Richard E. Buck, President of the Township of Springfield Board of Commissioners, Montgomery County, 1510 Papermill Road, Wyndmoor, Pennsylvania 19118.					
Tennessee	City of Chattanooga, Hamilton County.	Chattanooga Creek	Just upstream of Hamill Road	*658	*658 Just upstream of Hooker Road *658 *659

PROPOSED MODIFIED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
			About 1,000 feet upstream of Burnt Mill Road	*663	*663
Maps available for inspection at the City Hall, Engineering Department, East 11th Street, Chattanooga, Tennessee. Send comments to The Honorable Gene Roberts, Mayor, City of Chattanooga, City Hall, East 11th Street, Chattanooga, Tennessee 37402.					
Tennessee	Town of Decherd, Franklin County.	Dry Creek	At mouth	*898	*898
			Just downstream of U.S. Highway 41A	None	*946
Maps available for inspection at the Town Hall, Decherd, Tennessee. Send comments to The Honorable Otis B. Smith, Jr., Mayor, Town of Decherd, Town Hall, P.O. Box 488, Decherd, Tennessee 37324.					
Tennessee	City of South Pittsburg, Marion County.	Poplar Spring Branch	Just downstream of CSX Railroad	None	*618
			About 1,000 feet upstream of Hughes Road	None	*678
		Battle Creek	At mouth	*614	*614
			About 3,700 feet upstream of mouth	None	*617
Maps available for inspection at the City Hall, 204 West 3rd Street, South Pittsburg, Tennessee. Send comments to The Honorable John Thompson, Mayor, City of South Pittsburg, City Hall, 204 West 3rd Street, South Pittsburg, Tennessee 38380.					
Texas	Austin, City, Travis and Williamson Counties.	Boggy Creek North	Approximately 400 feet upstream of Delwau Lane.	*434	*433
			Approximately 1,400 feet upstream of Wilshire Drive.	*594	*593
		Boggy Creek North Tributary 2 (Tannehill Branch).	At confluence with Boggy Creek North	*450	*445
			Approximately 1,590 feet upstream of Helen Street.	None	*661
		Stream BC-1	At confluence with Boggy Creek North	*452	*446
			Approximately 1,640 feet upstream of the confluence.	None	*452
		Bouldin Creek East	Approximately 320 feet downstream of Riverside Drive.	*444	*443
			Approximately 500 feet upstream of Fort McGruder Lane.	None	*650
		Bouldin Creek West	Approximately 70 feet upstream of Riverside Drive.	*445	*446
			Approximately 100 feet upstream of Clawson Road.	None	*640
		Bull Creek	Approximately 350 feet upstream of confluence with Colorado River.	*495	*496
			Approximately 200 feet upstream of Bull Creek Tributary 5.	*743	*753
		Bull Creek Tributary 1	At confluence with Bull Creek	*504	*508
			Approximately 448 feet upstream of FM 2222	*518	*519
		Bull Creek Tributary 2	At confluence with Bull Creek	*591	*599
			Approximately 1,125 feet upstream of Floral Park.	None	*741
		Bull Creek Tributary 4	At confluence with Bull Creek	*713	*718
			Approximately 850 feet upstream of the confluence.	*717	*718
		Cherry Creek	At confluence with Williamson Creek	*653	*656
			Approximately 1,120 feet upstream of Lazy Oaks Drive.	None	*756
		Cottonmouth Creek	At confluence with Onion Creek	*471	*479
			Approximately 50 feet upstream of U.S. Route 183.	None	*497
		Dry Branch	At confluence with Williamson Creek	*679	*678
			Approximately 425 feet upstream of Escarpment Boulevard.	None	*842
		Foster Branch	At confluence with Shoal Creek	*697	*696
			Approximately 1,050 feet upstream of Ceberry Street.	*750	*749
		Gilleland Creek Tributary 3	Approximately 440 feet downstream of downstream Interstate Route 35 Frontage Road.	None	*806
			Approximately 80 feet upstream of upstream Interstate Route 35.	None	*819
		Givens Park Tributary No. 1	Approximately 180 feet upstream of confluence with Boggy Creek North Tributary 2 (Tannehill Branch).	None	*484
			Approximately 100 feet upstream of Anchor Lane.	None	*558

PROPOSED MODIFIED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
		Givens Park Tributary No. 2	At confluence with Givens Park Tributary No. 1	None	*493
			Approximately 0.45 miles upstream of Martin Luther King Boulevard.	None	*572
		Hancock Branch	At confluence with Shoal Creek	*603	*607
			Approximately 290 feet upstream of Cullen Avenue.	None	*713
		Harris Branch	Approximately 1,900 feet downstream of Boyce Lane.	*None	*550
			Approximately 0.40 feet downstream of Harris Branch Tributary No. 4.	None	*592
		Harris Branch Tributary No. 5	At confluence with Harris Branch	None	*567
			Approximately 1,800 feet upstream of Cameron Road.	None	*587
		Hemphill Branch	At confluence with Waller Creek	*529	*530
			At West 33rd Street	None	*578
		Johnson Creek	Approximately 500 feet upstream of confluence with Colorado River.	*449	*448
			Approximately 170 feet upstream of Margranita Crescent North.	*570	*566
		Little Walnut Creek	At confluence with Walnut Creek	*467	*470
			Approximately 800 feet upstream of Golden Meadow Drive.	None	*725
		Little Walnut Creek Tributary 1.	At confluence with Little Walnut Creek	*537	*538
			Approximately 270 feet upstream of Interstate Route 35.	*674	*678
		Little Walnut Creek Tributary 2.	Approximately 220 feet upstream of confluence with Little Walnut Creek.	*606	*607
			Approximately 500 feet upstream of Rundberg Lane.	*666	*667
		Little Walnut Creek Tributary 3 (Quail Creek).	At confluence with Little Walnut Creek	*669	*670
			Approximately 0.41 feet upstream of Hunter's Trace.	*713	*714
		Marble Creek	At confluence with Onion Creek	*529	*538
			Approximately 300 feet upstream of Thaxton Road.	None	*561
		Onion Creek	Approximately 0.84 mile downstream of FM 973.	*444	*450
			Approximately 200 feet upstream of Interstate Route 35.	*596	*606
		Possum Trot Branch	At confluence with Johnson Creek	*478	*481
			Approximately 430 feet upstream of Enfield Road.	None	*546
		Shoal Creek	Approximately 480 feet downstream of West Avenue.	*446	*445
			Approximately 1,930 feet upstream of Union Pacific Railroad.	*None	*757
		Sunset Valley Tributary	At confluence with Williamson Creek	*647	*652
			At Westgate Boulevard	*658	*665
		Waller Creek	At the confluence with the Colorado River	*443	*444
			Approximately 960 feet upstream of Denson Drive.	*680	*681
		Walnut Creek	At downstream crossing of Southern Pacific Railroad.	*436	*437
			Approximately 50 feet upstream of Council Bluff Drive.	*763	*761
		Walnut Creek Tributary 1	Approximately 1,600 feet upstream of confluence with Walnut Creek.	*432	*431
			Approximately 0.84 feet upstream of upstream crossing of Southern Pacific Railroad.	None	*483
		Walnut Creek Tributary 2	At confluence with Walnut Creek	*438	*440
			At downstream face of Martin Luther King Jr. Boulevard.	None	*485
		Walnut Creek Tributary 3	At downstream face of U.S. Route 290 eastbound.	*522	*523
			Approximately 220 feet upstream of U.S. Route 290 westbound.	*524	*526
		Walnut Creek Tributary 4	Approximately 1,060 feet upstream of confluence with Walnut Creek.	*498	*500
			Approximately 1,540 feet upstream of confluence with Walnut Creek.	*499	*500
		Walnut Creek Tributary 5	Approximately 340 feet downstream of U.S. Route 290 eastbound.	*515	*512
			Approximately 300 feet upstream of U.S. Route 290 westbound.	*516	*517

PROPOSED MODIFIED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
		Walnut Creek Tributary 6	At confluence with Walnut Creek	*607	*610
			Approximately 0.45 mile upstream of Interstate Route 35 Frontage Road.	None	*681
		Walnut Creek Tributary 7	At confluence with Walnut Creek	*694	*693
			Approximately 840 feet upstream of Bull Run	*831	*832
		Walnut Creek Tributary 7A	At confluence with Walnut Creek Tributary 7	*742	*754
			Approximately 0.65 mile upstream with Walnut Creek Tributary 7.	None	*772
		Walnut Creek Tributary 8	Approximately 125 feet upstream of confluence with Walnut Creek.	*701	*702
			Approximately 100 feet upstream of Union Pacific Railroad.	None	*805
		Walnut Creek Tributary 9	At confluence with Walnut Creek	*709	*710
			Approximately 550 feet upstream of Howard Lane.	None	*776
		Walnut Creek Tributary 9 Diversion.	At confluence with Walnut Creek	*710	*711
			At diversion from Walnut Creek Tributary 9	*719	*720
		Walnut Creek Tributary 10	At confluence with Walnut Creek	*756	*757
			Approximately 1,420 feet upstream of Del Robles Drive.	*767	*769
		Wells Branch	At confluence with Walnut Creek	*625	*627
			At upstream face of Howard Lane	*733	*734
		West Bull Creek	At confluence with Bull Creek	*512	*518
			Approximately 0.63 mile upstream of most upstream crossing of FM 2222.	None	*605
		West Tributary 3	At confluence with Boggy Creek North Tributary 2 (Tannehill Branch).	*505	*506
			Approximately 40 feet upstream of Manor Road.	None	*550
		Williamson Creek	At the confluence with Onion Creek	*499	*524
			Approximately 0.7 mile upstream of Covered Bridge Drive.	None	*943
		Williamson Creek Tributary 1	At confluence with Williamson Creek	*504	*524
			Approximately 150 feet upstream of Knuckols Crossing Road.	None	*571
		Williamson Creek Tributary 2	At confluence with Williamson Creek	*508	*524
			Approximately 200 feet downstream of Knuckols Crossing Road.	*578	*579
		Williamson Creek Tributary 3	At confluence with Williamson Creek	*531	*538
			Approximately 320 feet upstream of Pino Lane	*568	*567
		Williamson Creek Tributary 4	At confluence with Williamson Creek	*585	*589
			At downstream face of Strassney Lane	*631	*632
		Williamson Creek Tributary 5	Approximately 300 feet upstream of confluence with Williamson Creek.	*848	*847
			Approximately 370 feet upstream of Southbrook Drive.	None	*913
		Williamson Creek Tributary 6	At confluence with Williamson Creek	*812	*813
			Approximately 0.75 mile upstream of William Cannon Drive.	None	*863
		Long Hog Hollow	At confluence with Bull Creek	*617	*624
			Approximately 1.6 miles upstream of confluence with Bull Creek.	*739	*741
		St. Edwards Branch	At confluence with Bouldin Creek East	None	*591
			Approximately 800 feet upstream of Congress Avenue.	None	*630
		North Fork Bouldin Creek West.	At confluence with Bouldin Creek West	None	*566
			Approximately 80 feet upstream of Glen Ora	None	*626
		Bull Creek Tributary 5	At confluence with Bull Creek	*741	*751
			Approximately 320 feet upstream of Spicewood Springs Road.	*750	*751

Maps available for inspection at the Austin City Hall, 505 Barton Springs Road, Austin, Texas.
Send comments to The Honorable Bruce Hall, Mayor of the City of Austin, Travis and Williamson Counties, P.O. Box 1088, Austin, Texas 78767.

Texas	Cleburne, City, Johnson County.	Unnamed Stream	Approximately 800 feet upstream of confluence with east Branch Buffalo Creek.	None	*718
			Approximately 110 feet downstream of West Henderson Street.	None	*813

Maps available for inspection at the Cleburne City Hall, 302 West Henderson, Cleburne, Texas.
Send comments to The Honorable Katherine Raines, Mayor of the City of Cleburne, Johnson County, P.O. Box 657, Cleburne, Texas 76033.

Texas	Fort Bend County, Unincorporated Areas.	Dry Creek	At Bryan Road	*92	*86
			Approximately 2,400 feet downstream of Bryan Road.	*89	*86

PROPOSED MODIFIED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
Maps available for inspection at the County engineer's Office, 3403 Avenue F, Rosenberg, Texas. Send comments to The Honorable Roy L. Cordes, Jr., Fort Bend County Judge, P.O. Box 368, Richmond, Texas 77469.					
Texas	Grayson County, Unincorporated Areas.	Lake Texoma	For its entire shoreline within the county	None	*647
Maps available for inspection at the County Courthouse, Sherman, Texas. Send comments to The Honorable John H. Crawford, Grayson County Judge, Grayson County Courthouse, Sherman, Texas 75090.					
Texas	Harden County, Unincorporated Areas.	Pine Island Bayou	Confluence with Neches River	None	*15
			Approximately 3 miles upstream of State Route 326.	None	*43
		Little Pine, Island Bayou	Confluence with Pine Island Bayou	None	*26
			Approximately 1.8 miles upstream of Lake Pinewood Dam.	None	*30
		Coon Marsh Gully	Confluence with Little Pine Island Bayou	None	*27
			At State Route 105	None	*34
		Clemons Gully	Confluence with Little Pine Island Bayou	None	*29
			Approximately 3.2 miles upstream of Pine Shadows Drive.	None	*32
		Goleman Gully	At confluence with Clemmons Gully	None	*30
			At State Route 105	None	*31
		Boggy Creek	At Boggy Creek Road	None	*19
			Approximately 140 feet upstream of Boggy Creek Road.	None	*19
		Village Creek	Approximately 5.5 miles upstream of the confluence with Neches River.	None	*29
			At State Route 418		
		Walton Creek	At confluence with Village Creek	None	*33
			At corporate limits, approximately 120 feet downstream of U.S. Route 96.	None	*36
		Village Creek Tributary	At confluence with Village Creek	None	*42
			At corporate limits, approximately 2,875 feet upstream of confluence with Village Creek.	None	*42
		Mill Creek	At confluence with Village Creek	None	*43
			Approximately 4,200 feet upstream of State Route 327.	*42	*43
		Mill Creek Tributary	At a point 1,300 feet upstream of confluence with Mill Creek.	None	*50
			At corporate limits, approximately 500 feet upstream of Lee Miller Road.	None	*58
Maps available for inspection at Hardin County Courthouse, Courthouse Square, 326 & Redwood, Kountze, Texas. Send comments to The Honorable Tom Mayfield, Hardin County Judge, P.O. Drawer 760, Kountze, Texas 77625.					
Texas	Harris County, Unincorporated Areas.	Spring Creek	Approximately 2.3 miles downstream of the confluence of Tributary 21.08 (J121-00-00).	*113	*114
			Approximately 3.2 miles upstream of the confluence of Willow Creek (M100-00-00).	*126	*127
		Willow Creek	At confluence with Spring Creek	*120	*121
			Approximately 1,300 feet upstream of the confluence with Spring Creek.	*120	*121
			Approximately 150 feet upstream of confluence with Willow Creek.	*120	*121
		Tributary 0.26 to Willow Creek	Approximately .6 mile upstream of confluence with Willow Creek.	*120	*121
Maps available for inspection at the County Courthouse, 301 Main Street, Houston, Texas. Send comments to The Honorable Jon Lindsay, Harris County Judge, Harris County Administration Building, 1001 Preston, Houston, Texas 77002.					
Texas	Lumberton, City Hardin County.	Village Creek	Approximately 8,500 feet downstream of Atchison, Topeka & Santa Fe Railway.	None	*30
			Approximately 600 feet upstream of Atchison, Topeka & Santa Fe Railway.	None	*34
			At U.S. Route 96	None	*37
			Approximately 17,500 feet upstream U.S. Route 96.	None	*39
		Walton Creek	At corporate limit approximately 100 feet downstream of U.S. Route 96.	*33	*36
			At a point approximately 600 feet upstream of Walton Road.	*35	*36
Maps available for inspection at the Lumberton City Hall, Highway 96, Lumberton, Texas. Send comments to The Honorable Wilton Dunaway, Mayor of the City of Lumberton, Hardin County, P.O. Box 8545, Lumberton, Texas 77711.					
Texas	Pasadena, City, Harris County.	Little Vince Bayou	At Richey Access Road	*12	*13
			Approximately 230 feet upstream of Wichita Street.	None	*28

PROPOSED MODIFIED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
Maps available for inspection at the City Hall, 1211 East Southmore, Pasadena, Texas. Send comments to The Honorable John Ray Harrison, Mayor of the City of Pasadena, P.O. Box 672, Pasadena, Texas 77501					
Texas	Pflugerville, City, Travis County.	Gilleland Creek	Approximately 0.56 mile downstream of Dessau Road.	None	*651
			Approximately 0.57 mile upstream of Pflugerville Loop East.	None	*707
Maps available for inspection at the Pflugerville City Hall, 101 South 3rd, Pflugerville, Texas. Send comments to The Honorable Scott Winton, Mayor of the City of Pflugerville, Travis County, P.O. Box 589, Pflugerville, Texas 78660.					
Texas	Pleak, Village, Fort Bend County.	Coon Creek	Approximately 100 feet downstream of Band Road.	None	*82
			Approximately 0.24 mile upstream of upstream corporate limits.	None	*91
Maps available for inspection at the Pleak Village Hall, 6621 FM 2218, Richmond, Texas. Send comments to The Honorable Willie Ponicik, Mayor of the Village of Pleak, Fort Bend County, 5809 Pleak Road, Richmond, Texas 77469.					
Texas	Round Rock, City, Travis and Williamson Counties.	Gilleland Creek	Approximately 1,200 feet upstream of confluence of Gilleland Creek Tributary 3.	None	*792
			Approximately 330 feet upstream of Interstate Route 35.	None	*817
Maps available for inspection at the Round Rock City Hall, 221 E. Main Street, Round Rock, Texas. Send comments to The Honorable Mike Robinson, Mayor of the City of Round Rock, Travis and Williamson Counties, 221 E. Main Street, Round Rock, Texas 78664.					
Texas	Rose Hill Acres, City, Hardin County.	Pine Island Bayou	Approximately 700 feet upstream of U.S. Routes 69, 96 & 287.	*19	*18
			At confluence of Boggy Creek	*20	*19
		Boggy Creek	At confluence with Pine Island Bayou	*20	*19
			At Boggy Creek Road	*20	*19
Maps available for inspection at the Rose Hill Acres City Hall, 550 Jordan Road, Silsbee, Texas. Send comments to The Honorable Ruby Rives, Mayor of the City of Rose Hill Acres, Hardin County, 550 Jordan Road, Silsbee, Texas 777656.					
Texas	Rosenberg, City, Fort Bend County.	Dry Creek	Approximately 2,400 feet downstream of Bryan Road.	*89	*86
			Approximately 4,000 feet downstream of Bryan Road.	*86	*85
Maps available for inspection at the Public Works Department, 2110 Fourth Street, Rosenberg, Texas. Send comments to The Honorable Larry Wilkinson, Mayor of the City of Rosenberg, Fort Bend County, P.O. Box 32, Rosenberg, Texas 77471-0031.					
Texas	San Antonio, City, Bexar County.	Flood Storage Area 1A	North of Charles W. Anderson Drive (FM 1604) and between U.T.S.A. Tributary Leon Creek and Leon Creek.	None	*1,005
		Flood Storage Area 1B	North of Charles W. Anderson Drive (FM 1604) and between U.T.S.A. Tributary Leon Creek and Leon Creek.	None	*1,003
		Flood Storage Area 2	North of Charles W. Anderson Drive (FM 1604) and between U.T.S.A. Tributary Leon Creek and Leon Creek.	None	*991
		Flood Storage Area 3	North of Carles W. Anderson Drive (FM 1604) and between U.T.S.A. Tributary Leon Creek and Leon Creek.	None	*992
Maps available for inspection at the Public Works Department, Main Plaza Building, 7th Floor, 114 West Commerce, San Antonio, Texas. Send comments to The Honorable Nelson Wolff, Mayor of the City of San Antonio, Bexar County, P.O. Box 839966, San Antonio, Texas 78283-3966.					
Texas	Schertz, City, Bexar, Comal, and Guadalupe Counties.	Dietz Creek	Approximately 200 feet downstream of F.M. 3004.	None	*699
			Approximately 200 feet upstream of Maske Road.	None	*726
		East Branch Dietz Creek	Approximately 1.5 miles downstream of Woodland Oaks Drive.	None	*701
			Approximately .91 mile upstream of Crest Oak Lane.	None	*818
		Cibolo Creek	At downstream corporate limits	None	*686
			Approximately 1.46 miles upstream of Avaition Boulevard.	None	*725
Maps available for review at the City Hall, 1400 Schertz Parkway, Schertz, Texas. Send comments to The Honorable Earl W. Sawyer, Mayor of the City of Schertz, Bexar, Comal, and Guadalupe Counties, P.O. Drawer I, Schertz, Texas 78154.					
Texas	Silsbee, City, Hardin County.	Village Creek Tributary	At corporate limits approximately 2,100 feet downstream of Norvell Street.	None	*42

PROPOSED MODIFIED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
			Approximately 200 feet upstream of Norevell Street.	*41	*42
Maps available for inspection at the Silsbee City Hall, 105 S. 3rd Street, Silsbee, Texas. Send comments to Mr. Ronald Hickerson, Silsbee City Manager, Hardin County, 105 S. 3rd Street, Silsbee, Texas 77656.					
Texas	Sunset Valley, City, Travis County.	Dry Branch	At confluence with Williamson Creek	*679	*678
			Approximately 0.6 mile upstream of the confluence with Williamson Creek.	*688	*693
		Sunset Valley Tributary	At upstream face of Westgate Boulevard	*663	*665
			Approximately 0.8 mile upstream of Lone Oak Road.	*699	*700
		Williamson Creek	At upstream face of Westgate Boulevard	*664	*665
			Approximately 80 feet downstream of Brodie Lane.	*708	*707
Maps available for inspection at the Sunset Valley City Hall, 2 Lone Oak Trail, Austin, Texas. Send comments to The Honorable Helen Basse, Mayor of the City of Sunset Valley, 2 Lone Oak Trail, Austin, Texas 78745.					
Texas	Travis County, Unincorporated Areas.	Barton Creek	Approximately 0.75 mile downstream of Fitzhugh Road.	None	*940
			Approximately 50 feet upstream of Hays County-Travis County Boundary.	None	*951
		Bear Creek	At its confluence with Onion Creek	*612	*619
			At Hays County-Travis County boundary	None	*806
		Stream Bear–1	Approximately 360 feet downstream of Hays County-Travis County boundary.	None	*921
			Approximately 700 feet upstream of Hays County-Travis county boundary.	None	*930
		Boggy Creek South	At confluence with Onion Creek	*553	*560
			Approximately 140 feet upstream of Bluff Springs Road.	*559	*560
		Bull Creek	Approximately 1.2 miles upstream of confluence of Long Hog Hollow.	*653	*658
			At a point 200 feet upstream of Bull Creek Tributary 5.	*743	*753
		Bull Creek Tributary 4	Approximately 200 feet upstream of confluence with Bull Creek.	*713	*718
			Approximately 850 feet upstream of the confluence with Bull Creek.	*717	*718
		Cottonmouth Creek	Approximately 0.45 mile upstream of confluence with Onion Creek.	None	*481
			Approximately 50 feet upstream of Sassman Road.	None	*606
		Dry Branch	Approximately 0.6 mile upstream of confluence with Williamson Creek.	*668	*693
			Approximately 425 feet upstream of Escarpment Boulevard.	None	*842
		Gilleland Creek	Approximately 450 feet downstream of Taylor Lane.	None	*419
			Approximately 200 feet upstream of Interstate Route 35.	None	*817
		Gilleland Creek Tributary 1	At confluence with Gilleland Creek	*447	*449
			Approximately 1,180 feet upstream of the confluence with Gilleland Creek.	*451	*450
		Gilleland Creek Tributary 2	At confluence with Gilleland Creek	None	*548
			At upstream face of Dessau Road	None	*675
		Gilleland Creek Tributary 3	At confluence with Gilleland Creek	None	*783
			At downstream side of Interstate Route 35 (Frontage Road).	None	*811
		Harris Branch	At confluence with Gilleland Creek	None	*529
			Approximately 0.72 mile upstream of Cape Cod Drive.	None	*742
		Harris Branch Tributary No. 3	At confluence with Harris Branch	*678	*683
			Approximately 1.75 mile upstream of the confluence.	None	*749
		Harris Branch Tributary No. 4	At confluence with Harris Branch	None	*603
			Approximately 50 feet upstream of Dessau Road.	None	*678
		Harris Branch Tributary No. 5	Approximately 80 feet downstream of Cameron Road.	None	*573
			Approximately 100 feet upstream of Yager Lane.	None	*59
		Little Bear Creek	At confluence with Bear Creek	*633	*636
			At Hays County-Travis County boundary	*674	*675

PROPOSED MODIFIED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
		Long Branch	Approximately 0.55 mile downstream of Hays County-Travis County boundary.	None	*1,015
			At Hays County-Travis County boundary	None	*1,036
		Marble Creek	Approximately 160 feet downstream of Colton Bluff Springs Road.	None	*549
			Approximately 50 feet upstream of Old Lockhart Highway.	None	*643
		Onion Creek	Approximately 280 feet upstream of confluence with Colorado River.	*415	*414
			At Hays County-Travis County boundary	*637	*649
		Rinard Creek	At confluence with Onion Creek	*573	*578
			Approximately 1,400 feet upstream of Bradshaw Road.	*577	*578
		Slaughter Creek	At confluence with Onion Creek	*567	*573
			Approximately 0.79 mile upstream of confluence with Onion Creek.	*573	*574
		Walnut Creek	Approximately 1,160 feet downstream of confluence of Walnut Creek Tributary 3.	*485	*488
			Approximately 0.5 mile upstream of upstream crossing of Southern Pacific Railroad.	None	808
		Walnut Creek Tributary 3	At confluence with Walnut Creek	*488	*493
			Approximately 1.85 mile upstream of U.S. Route 290 westbound.	*575	*576
		Walnut Creek Tributary 4	At confluence with Walnut Creek	*497	*500
			Approximately 70 feet downstream of Springdale Road.	None	*545
		Walnut Creek Tributary 5	At confluence with Walnut Creek	*513	*512
			Approximately 0.50 mile upstream of Sansom Road.	*555	*556
		Walnut Creek Tributary 10	Approximately 360 feet upstream of Del Robles Drive.	*758	*759
			Approximately 50 feet downstream of McNeil Drive.	*802	*803
		Wells Branch	At upstream face of Howard Lane	*733	*734
			Approximately 750 feet upstream of Wells Branch Parkway.	None	*755
		Williamson Creek	Approximately 80 feet downstream of Brodie Lane.	*708	*707
			Approximately 1,650 feet upstream of Brodie Lane.	*719	*720
Maps available for inspection at Public Improvements and Transportation, 811 Barton Springs Road, Suite No. 750, Austin, Texas. Send comments to The Honorable Bill Aleshire, Travis County Judge, Stokes Building, 314 W. 11th Street, Austin, Texas 78704.					
Vermont	Concord, Town, Essex County.	Moose River	At downstream corporate limits	None	*807
			At Victory Road	None	*1,006
Maps available for inspection at the Concord Town Office, Main Street, Concord, Vermont 05824. Send comments to Mr. Milton Lunnie, Chairman of the Town of Concord Board of Selectmen, Essex County, Main Street, Concord, Vermont 05824.					
Washington	Spokane County, Unincorporated Areas.	Spokane River	At the eastern corporate limit of the City of Spokane and approximately 1.5 miles downstream of Argone Road.	None	*1,913
			Just upstream of Trent Road	None	*1,930
			At Sullivan Road	None	*1,955
			At Baker Road	None	*1,991
			Just upstream of Harvard Road	None	*2,012
			Approximately 700 feet downstream of Interstate Highway 90.	None	*2,037
		Forker Draw	Approximately 400 feet north of Progress Road	None	*2,070
			At Forker Road Bridge	None	*2,103
			Approximately 900 feet downstream of Bigelow Gulch Road.	None	*2,310
		Chester Creek	At the intersection of Dishman Road and Second Avenue.	None	*1,984
			At 24th Avenue	None	*1,994
			At the intersection of 28th Avenue and Raymond Avenue.	None	*1,999
			Just downstream of Bowdish Road	None	*2,005
			At the intersection of Madison Road and 43rd Avenue.	None	*2,009
			Just upstream of Mohawk Road	None	*2,042
			Just downstream of the most southern Farm Road.	None	*2,061
		Liberty Lake	At the intersection of Liberty Lake Road and Sprague Avenue.	None	*2,051

PROPOSED MODIFIED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
			Approximately 2,000 feet south of the intersection of Sprague Avenue and Clubhouse.	None	2,053

Maps are available for review at the Spokane County Broad of Commissioners, West 1116 Broadway Avenue, Spokane, Washington. Send comments to the Honorable John McBride, Chairman, Spokane County Board of Commissioners, West 1116 Broadway Avenue, Spokane, Washington 99260.

Issued: February 11, 1991.

C. M. "Bud" Schauerte,

Administrator, Federal Insurance Administration.

[FR Doc. 92-6070 Filed 3-13-92; 8:45 am]

BILLING CODE 6718-03-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

49 CFR Part 383

[FHWA Docket No. MC-92-21]

Commercial Driver's License; Waiver for Farm-Related Service Industries; Request for Comments

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of petitions; request for comment.

SUMMARY: The FHWA is requesting comments from interested parties on petitions submitted by representatives of various farm-related service industries (custom harvesters, farm retail outlets and suppliers, agri-chemical businesses, and livestock feeders), requesting relief from the requirements of the commercial driver's license regulations (49 CFR part 383). The FHWA is proposing to authorize the States to waive, at their option, seasonal employees of farm-related service industries from the CDL knowledge and skill testing requirements, and issue these employees restricted CDL's. The FHWA requests public comments on whether, if granted, the proposed grant of waiver authority would be contrary to the public interest or diminish the safe operation of commercial motor vehicles. No extension of the public comment period specified below is anticipated due to the necessity to reach a final determination in this matter before the effective date of the CDL requirements (April 1, 1992).

DATES: Comments must be received on or before March 26, 1992.

ADDRESSES: All signed, written comments should refer to the docket number that appears at the top of this document and should be submitted to the Federal Highway Administration, room 4232, Office of Chief Counsel, HCC-10, 400 Seventh Street SW., Washington, DC 20590-0001. All comments received will be available for examination at the above address from 8:30 a.m. to 3:30 p.m., e.t., Monday through Friday, except Federal holidays. Commenters who want to be notified that the FHWA received their comments should include a self-addressed, stamped postcard.

FOR FURTHER INFORMATION CONTACT: Ms. Jill L. Hochman, Office of Motor Carrier Standards, (202) 366-4001, or Mr. Raymond W. Cuprill or Mr. Eric Kuwana, Office of the Chief Counsel, HCC-20, (202) 366-0834, Federal Highway Administration, Department of Transportation, 400 Seventh Street SW., Washington, DC 20590-0001. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Background

The Commercial Driver's License (CDL) regulations, issued pursuant to the Commercial Motor Vehicle Safety Act of 1986 (title XII, Pub. L. 99-570, 100 Stat. 3207, 3207-170) (49 U.S.C. app. 2701 *et seq.*)), are found at 49 CFR part 383 (1991). Section 383.23 of the regulations sets forth the general rule that, effective April 1, 1992, no person shall operate a commercial motor vehicle unless such person: (1) Has taken and passed a knowledge test and, if applicable, a driving test, which meets Federal standards, and (2) possesses a CDL, which is evidence of having passed the required tests. These Federal standards ensure that drivers of a commercial motor vehicle: (1) Have a single driver's license and a single driving record, (2) are tested for the knowledge and skills needed to drive a vehicle representative of the vehicle that they will be licensed to drive, and (3) are disqualified from driving a commercial vehicle when convicted of certain criminal or traffic violations. Drivers who will be operating commercial vehicles that haul hazardous materials are also required to take and pass specialized tests to obtain specific endorsements to their licenses.

Accordingly, drivers of commercial motor vehicles must have a CDL after April 1, 1992. The term commercial motor vehicle is defined to include, a motor vehicle:

(1) With a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or

(2) With a gross vehicle weight rating of 26,001 or more pounds; or

(3) Designed to transport 16 or more passengers, including the drive; or

(4) Used in the transportation of quantities of hazardous materials which require the vehicle to be placarded under the Hazardous Materials Transportation Regulations (49 CFR part 172, subpart F). 49 CFR 383.5 (1991).

CDL Waivers

Section 12013 of the Commercial Motor Vehicle Safety Act of 1986 (the Act) authorizes the Secretary of Transportation to waive any class of drivers or vehicles from any or all of the provisions of the Act or the implementing regulations if the Secretary determines that the waiver is not contrary to the public interest and does not diminish the safe operation of commercial vehicles. The regulatory procedures governing the issuance of waivers are found at 49 CFR 383.7 (1991).

The Federal Highway Administration (FHWA) has granted a CDL waiver to military personnel operating military vehicles and has authorized the States to exclude certain farmers and firefighters in implementing the CDL regulations. See 53 FR 37313, September 26, 1988. With respect to farmers, the States were authorized to exempt drivers of farms vehicles which are:

(1) Controlled and operated by a farmer;

(2) Used to transport either agricultural products, farm machinery, or farm supplies to or from a farm;

(3) Not used in the operations of a common or contract motor carriers; and

(4) Used within 150 miles of the person's farm. In this notice we will refer to this grant of waiver authority to the States as the "farm waiver."

The FHWA also received numerous petitions for waivers from farm-related service industries including custom harvesters, farm retailers and outlest, and agri-chemical businesses. These groups desired to be included in the farm waiver or be granted a similar waiver from the CDL regulations. The FHWA denied these petitions for waivers because the assertions made did not provide an adequate basis for making the required public interest and safety determinations.

Some of these industries sought relief through legislation, but the resulting statutory provision was very limited in scope. Section 4010 of the Intermodal Surface Transportation Efficiency Act of 1991 (Pub. L. 102–240, 105 Stat 1914) simply excluded custom harvesting farm machinery, such as combines and farm tractors, from the requirements of statutes and regulations dealing with CDL requirements. This legislative enactment did not provide the relief desired by custom harvesters and, as a result, administrative relief is still being sought.

Petitions

The FHWA has been requested to reconsider its previous determinations concerning the petitions for CDL waivers filed by custom harvesters, farm retail outlets and suppliers, and agri-chemical businesses. Livestock feeders have also requested similar waivers. In addition, we have received many comments requesting relief from the CDL requirements for these farm-related service industries in response to the regulatory review notice published by the Department. See 57 FR 4744, February 7, 1992 (OST Notice 92–1; FHWA Docket 92–12). This notice requested public comment on unnecessary or burdensome regulations that impede economic growth or impose needless cost on consumers. Copies of these petitions are being included in the docket established in this notice and may be examined by the public.

These farm-related service industries contend that the granting of a CDL waiver for their employees would not diminish highway safety because these employees are involved in transportation activities to no greater extent than farmers, which seasonal and mostly limited to secondary, rural roads, within close proximity of farms. Evidence was presented that the agricultural sector has an outstanding safety record when compared to the transportation industry as a whole. These industries also claim that the costs imposed by the CDL regulations will clearly outweigh the expected safety benefits. They state that imposition of the CDL requirements on their industries will create significant operational and financial burdens due to the seasonal nature of the agricultural business, where only a small pool of workers is available to assist during the periods of high transportation demand. Drivers are hired to transport agricultural products solely during "peak seasons," such as the very short planting and harvest seasons, and consequently, many of these employees are high school/college students and retired farm workers. These industries cannot afford the expensive overhead of maintaining an exclusive work force of full-time commercial drivers. They assert that imposition of the CDL requirements will increase agricultural transportation costs and would result in higher farm production costs and consumer prices.

Proposed Waiver for Farm-Related Service Industries

In order to provide relief to the above described farm-related service industries, the FHWA is proposing to authorize the States, at their option to waive seasonal employees of farm-related industries from the CDL knowledge and skill testing requirements, and issue these employees restricted CDL's. Only seasonal drivers hired by these industries that operate certain commercial motor vehicles would be eligible for this waiver. Each State will determine the drivers' eligibility to receive a restricted CDL as seasonal employees of farm-related service industries. The FHWA believes that a seasonal driver is a person employed in farming or agriculture, or performing farming or agricultural labor, whose employment is of the kind exclusively performed at certain seasons or periods of the year, or who moves from one seasonal activity to another while employed in farming or agricultural activities.

CDL requirements other than knowledge and skill testing would be applicable, such as the disqualification requirements and the requirement that the State conduct a complete check of the applicant's driving record. This limited waiver authority would ensure that issuance by the State of restricted CDL's would have no adverse effect on highway safety and would prevent full-time employees of these farm-related service industries from avoiding the CDL testing requirements.

Accordingly, the States would be authorized to waive drivers of farm-related service industries from the CDL knowledge and skill testing requirements, subject to the following conditions:

(1) Restricted CDL's—If a State adopts the waiver authority, the State would issue restricted CDL's to eligible drivers pursuant to existing State CDL licensing procedures. The restriction would be coded on the CDL and easily recognized by enforcement officials. Compliance with all CDL requirements (49 CFR part 383), except those related to knowledge and skill testing, would be required. Any restricted CDL issued by a State would be considered as a valid CDL and would be given full reciprocity by other States pursuant to 49 CFR 383.73(h).

(2) Drivers Covered—Only drivers possessing a valid operator's license issued by a State, who are seasonal employees of a farm-related service industry (custom harvesters, farm retail outlets and suppliers, agrichemical businesses, and livestock feeders), would be eligible for a restricted CDL. A restricted CDL issued to a seasonal driver would be valid only during such employment and while performing farm service activities related to such employment. The use of a restricted CDL to drive a commercial motor vehicle, in the performance of activities not related to such employment, would be grounds for revocation. Exemptions from the driver qualification requirements for drivers engaged in certain farm-related operations, found in 49 CFR 391.2, would remain unchanged.

(3) Vehicles Covered—The restricted CDL would authorize the transportation of the products listed below in motor vehicles included in CDL Vehicle Groups B or C (49 CFR 383.91).

(4) Products Covered—The restricted CDL would authorize the transportation of agricultural products, farm machinery, or farm supplies to and from a farm. The restricted CDL would not authorize the transportation of placarded quantities of hazardous materials, except for diesel fuel or fertilizers transported to and from a farm.

Request for Public Comment

The FHWA is requesting specific views, information, and data that it should consider when determining whether or not the proposed waiver would be contrary to the public interest or would diminish the safe operation of commercial motor vehicles. Commenters are strongly encouraged to provide any

additional facts or views pertaining to the proposed waiver.

(Title XII of Pub. L. 99-570, 100 Stat. 3207-170; 49 U.S.C. 3102; 49 U.S.C. app. 2505; 49 CFR 1.48.; 49 CFR 383.7.; 23 U.S.C. 315)

Issued on: March 12, 1992.

T.D. Larson,

Administrator.

[FR Doc. 92-6179 Filed 3-13-92; 8:45 am]

BILLING CODE 4910-22-M

Notices

Federal Register
Vol. 57, No. 51
Monday, March 16, 1992

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 563]

Expansion of Foreign-Trade Zone 152 Burns Harbor, Indiana, Area

Pursuant to the authority granted in the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), and the Foreign-Trade Zones Board Regulations (15 CFR part 400), the Foreign-Trade Zones Board (the Board) adopts the following Resolution and Order:

Whereas, the Indiana Port Commission, Grantee of Foreign-Trade Zone No. 152, has applied to the Board for authority to expand its general-purpose zone to include a site in Gary, Indiana, adjacent to the Chicago Customs port of entry;

Whereas, the application was accepted for filing on September 5, 1991, and notice inviting public comment was given in the **Federal Register** on September 12, 1991 (Docket 51–91, 56 FR 46410);

Whereas, an examiners committee has investigated the application in accordance with the Board's regulations and recommends approval;

Whereas, the expansion is necessary to improve and expand zone services in the Burns Harbor area; and,

Whereas, the Board has found that the requirements of the Foreign-Trade Zones Act, as amended, and the Board's regulations are satisfied, and that approval of the application is in the public interest;

Now, Therefore, the Board *Hereby Orders*:

That the Grantee is authorized to expand its zone in accordance with the application filed on September 5, 1991, subject to the Act and the Board's regulations (as revised, 56 FR 50790–50808, 10/8/91), including Section 400.28.

Signed at Washington, DC, this 9th day of March, 1992.

Alan M. Dunn,

Assistant Secretary of Commerce for Import Administration, Chairman, Committee of Alternates, Foreign-Trade Zones Board.

Attest:

John J. Da Ponte, Jr.,

Executive Secretary.

[FR Doc. 92–6092 Filed 3–13–92; 8:45 am]
BILLING CODE 3510–DS–M

[Order No. 561]

Resolution and Order Approving the Application of the Bi-State Authority (Lawrence County, Illinois) for Special-Purpose Subzone Status at the Fedders North America, Inc., Plant (Room Air Conditioners); Effingham, IL

Proceedings of the Foreign-Trade Zones Board, Washington, DC.

Resolution and Order

Pursuant to the authority granted in the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a–81u), the Foreign-Trade Zones Board (the Board) adopts the following Resolution and Order:

The Board, having considered the matter, hereby orders:

After consideration of the application of the Bi-State Authority, grantee of Foreign-Trade Zone 146, filed with the Foreign-Trade Zones Board (the Board) on January 9, 1991, requesting special-purpose subzone status for the room air conditioner manufacturing plant of Fedders North America, Inc., in Effingham, Illinois, adjacent to the Evansville-Owensboro Customs port of entry, the Board, finding that the requirements of the Foreign-Trade Zones Act, as amended, and the Board's regulations are satisfied, and that the proposal is in the public interest, approves the application.

The approval is subject to the FTZ Act and the FTZ Board's regulations (as revised, 56 FR 50790–50808, 10–8–91), including § 400.28. The Secretary of Commerce, as Chairman and Executive Officer of the Board, is hereby authorized to issue a grant of authority and appropriate Board Order.

Grant of Authority for Subzone Status, Fedders North America, Inc., Plant; Effingham, IL

Whereas, By an Act of Congress approved June 18, 1934, an Act "To provide for the establishment * * * of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes," as amended (19 U.S.C. 81a–81u) (the Act), the Foreign-Trade Zones Board (the Board) is authorized and empowered to grant to qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs ports of entry;

Whereas, The Board's regulations (15 CFR part 400) provide for the establishment of subzones when existing zone facilities cannot serve the specific use involved, and where a significant public benefit will result;

Whereas, The Bi-State Authority (Lawrence County, Illinois), Grantee of Foreign-Trade Zone No. 146, has made application (filed 1–9–91, FTZ Docket 1–91, 56 FR 1791, 1–17–91) to the Board for authority to establish a subzone at the room air conditioner manufacturing plant of Fedders North America, Inc., in Effingham, Illinois;

Whereas, Notice of said application has been given and published, and full opportunity has been afforded all interested parties to be heard; and,

Whereas, The Board has that found the requirements of the Act and the Board's regulations are satisfied and that the proposal is in the public interest;

Now, Therefore, In accordance with the application filed January 9, 1991, the Board hereby authorizes the establishment of a subzone at the Fedders North America,. Inc., plant in Effingham, Illinois, designated on the records of the Board as Foreign-Trade Subzone 146C, at the location described in the application, subject to the FTZ Act and the Board's regulations (as revised, 56 FR 50790–50808, 10–8–91), including § 400.28.

Signed at Washington, DC, this 9th day of March, 1992, pursuant to Order of the Board.

Alan M. Dunn,

Assistant Secretary of Commerce for Import Administration, Chairman, Committee of Alternates, Foreign-Trade Zones Board.

Attest:

John J. Da Ponte, Jr.,

Executive Secretary.

[FR Doc. 92-6091 Filed 3-13-92; 8:45 am]

BILLING CODE 3510-DS-M

International Trade Administration

Initiation of Antidumping and Countervailing Duty Administrative Reviews

AGENCY: International Trade Administration/Import Administration, Department of Commerce.

ACTION: Notice of Initiation of antidumping and countervailing duty administrative reviews.

SUMMARY: The Department of Commerce has received requests to conduct administrative reviews of various antidumping and countervailing duty orders, findings and suspension agreements with February anniversary dates. In accordance with the Commerce Regulations, we are initiating those administrative reviews.

EFFECTIVE DATE: March 16, 1992.

FOR FURTHER INFORMATION CONTACT: Roland L. MacDonald, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230, telephone (202) 377-2104.

SUPPLEMENTARY INFORMATION:

Background

The Department of Commerce ("the Department") has received timely requests, in accordance with § 353.22(a)(1) of the Department's regulations, for administrative reviews of various antidumping and countervailing duty orders, findings, and suspension agreements, with February anniversary dates.

Initiation of Reviews

In accordance with §§ 353.22(c) and 355.22(c) of the Department's regulations, we are initiating administrative reviews of the following antidumping and countervailing duty orders, findings, and suspension agreements. We intend to issue the final results of these reviews not later than February 28, 1993.

Antidumping duty proceedings and firms	Periods to be reviewed
Canada:	
Racing Plates (Aluminum Horseshoes) A-122-050	
Equine Forgings	2/1/91-1/31/92
Japan:	
Mechanical Transfer Presses A-588-810	
Aida Engineering Ltd., Hitachi Zosen Corporation, Ishikawajima-Harima Heavy Industries, Komatsu Ltd	2/1/91-1/31/92
Korea:	
Small Business Telephones & Subassemblies Thereof A-580-803	
Goldstar Telecommunications Co., Ltd., Samsung Electronics Co., Ltd	2/1/91-1/31/92
Peoples Republic of China:	
Sodium Thiosulfate A-570-805	
China National Chemicals Import and Export Corporation, Shanghai Chemical Import and Export Corporation, Henan Provincial Chemical Plant, Eeyer Hat Oil Chemical Plant	2/1/91-1/31/92
Countervailing Duty Proceedings	
Saudi Arabia:	
Carbon Steel Wire Rod C-517-501	1/1/91-12/31/91

Interested parties must submit applications for administrative protective orders in accordance with § 353.34(b) and § 355.34(b) of the Department's regulations.

These initiations and this notice are in accordance with section 751(a) of the Tariff Act of 1930 (19 U.S.C. 1675(a)) and 19 CFR 353.22(c) and 355.22(c) (1989).

Dated: March 9, 1992.

Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.

[FR Doc. 92-6088 Filed 3-13-92; 8:45 am]

BILLING CODE 3510-DS-M

[A-588-604]

Tapered Roller Bearings, and Parts Thereof, Finished and Unfinished, From Japan; Amendment to Final Results of Antidumping Duty Administrative Review

AGENCT: International Trade Administration/Import Administration, Department of Commerce.

ACTION: Notice of amendment to final results of antidumping duty administrative review.

SUMMARY: On February 11, 1992, the Department of Commerce published the final results of its 1989-90 administrative review of the antidumping duty order on tapered roller bearings and parts thereof, finished and unfinished, from Japan. The review covered four manufacturers/exporters of this merchandise to the United States during the period October 1, 1989, through September 30, 1990. Based on the correction of clerical errors, we have changed the margin for NSK from 4.09 percent to 1.52 percent and the margin for NTN from 45.95 percent to 21.49 percent.

EFFECTIVE DATE: March 16, 1992.

FOR FURTHER INFORMATION CONTACT: Sheila Baker or Laurel LaCivita, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230; telephone: (202) 377-4733.

SUPPLEMENTARY INFORMATION:

Background

On February 11, 1992, the Department of Commerce (the Department) published in the **Federal Register** (57 FR 4960), the final results of its administrative review of the antidumping duty order (52 FR 37352; October 6, 1987) on tapered roller bearings, and parts thereof, finished and unfinished, from Japan. After publication of our final results, two clerical errors were identified in the margin calculations used for NSK Ltd. (NSK), and three clerical errors were identified in the margin calculation used for NTN Toyo Bearing Co. (NTN). The two clerical errors affecting NSK consisted of some incorrect model matches and the incorrect rate for best information available on those models where appropriate information to calculate foreign market value was not provided. The three clerical errors affecting NTN's margin were the result of an error in the use of physical criteria data, an error in the creation of a level of trade variable for U.S. sales, and an error in computing foreign market value using both actual sales and split sales.

Amended Final Results of Review

As a result of our corrections of the clerical errors, we have determined weighted-average margins of 1.52 percent for NSK and 21.49 percent for NTN.

The Department shall determine and the Customs Service shall assess, antidumping duties on all appropriate

entries. Individual differences between U.S. price and foreign market value may vary from the percentages stated above. The Department will issue appraisement instructions on each exporter directly to the Customs Service.

Furthermore, the following deposit requirements will be effective upon publication of this notice of amended final results of administrative review for all shipments of the subject merchandise from Japan entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(1) of the Tariff Act: (1) The cash deposit rate for the companies affected by this amendment will be as outlined above; (2) the cash deposit rate for Nachi, as stated in the February 11, 1992, final results of this administrative review, will remain in effect; (3) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (4) if the exporter is not a firm covered in this review, a prior review, or the original less-than-fair-value investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (5) the cash deposit rate for all other manufacturers or exporters will be 21.49 percent. This rate represents the highest rate for any firm with shipments in the administrative review, other than those firms receiving a rate based entirely on best information available.

These deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice is published pursuant to 19 CFR 353.28.

Dated: March 11, 1992.

Marjorie A. Chorlins,

Acting Assistant Secretary for Import Administration.

[FR Doc. 92-6090 Filed 3-13-92; 8:45 am]

BILLING CODE 3510-DS-M

[A-588-054]

Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, From Japan; Amended Final Results of Antidumping Duty Administrative Review

AGENCY: International Trade Administration/Import Administration, Department of Commerce.

ACTION: Notice of amendment to final results of antidumping duty administrative review.

SUMMARY: On February 11, 1992, the Department of Commerce published the final results of its 1989-90 administrative review of the antidumping finding on tapered roller bearing (TRBs), four inches or less in outside diameter, and certain components thereof, from Japan. The review covered three manufacturers/exporters of the subject merchandise to the United States during the period August 1, 1989, through July 31, 1990. Based on the correction of clerical errors, we have changed the margin for NSK from 4.92 percent to 2.72 percent.

EFFECTIVE DATE: March 16, 1992. Administration, U.S. Department of Commerce, Washington, DC 20230; telephone (202) 377-4733.

SUPPLEMENTARY INFORMATION:

Background

On February 11, 1992, the Department of Commerce (the Department) published in the **Federal Register** (57 FR 4975), the final results of its administrative review of the antidumping finding (41 FR 34974; August 18, 1976) on tapered roller bearings, four inches or less in outside diameter, and certain components thereof, from Japan. After publication of our final results, NSK Ltd. alleged that clerical errors had been made regarding the adjustment for pre-sale freight and the exclusion of a home market model for model match purposes. We agree and have corrected these errors.

Amended Final Results of Review

As a result of our correction of the clerical errors, we have determined a weighted-average margin of 2.72 percent for NSK.

The Department shall determine and the Customs Service shall assess, antidumping duties on all appropriate entries. Individual differences between U.S. price and foreign market value may vary from the percentages stated above. The Department will issue appraisement instructions on each exporter directly to the Customs Service.

Furthermore, the following deposit requirements will be effective upon publication of this notice of amended final results of administrative review for all shipments of the subject merchandise from Japan entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(1) of the Tariff Act: (1) The cash deposit rate for the companies affected by this amendment will be as outlined above; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specified rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original less-than-fair-value investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will be 16.35 percent. This rate represents the highest rate for any firm with shipments in the administrative review, other than those firms receiving a rate based entirely on best information available.

These deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice is published pursuant to 19 CFR 353.28.

Dated: March 11, 1992.

Marjorie A. Chorlins,

Acting Assistance Secretary for Import Administration.

[FR Doc. 92-6089 Filed 3-13-92; 8:45 am]

BILLING CODE 3510-DS-M

[C-549-804]

Carbon Steel Butt-Weld Pipe Fittings From Thailand Termination of Countervailing Duty Administrative Review

AGENCY: International Trade Administration/Import Administration, Department of Commerce.

ACTION: Notice of termination of countervailing duty administrative review.

SUMMARY: On February 24, 1992, the Department of Commerce (the Department) initiated an administrative review of the countervailing duty order on carbon steel butt-weld pipe fittings from Thailand. The Department is now terminating that review.

EFFECTIVE DATE: March 16, 1992.

FOR FURTHER INFORMATION CONTACT: Patricia W. Stroup or Michael Rollin, Office of Countervailing Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230; telephone (202) 377–2786.

Background

On January 28, 1992, the Department received a request for an administrative review of this countervailing duty order from Awaji Sangyo (Thailand) Co., Ltd. (AST), for the period January 1, 1991 through December 31, 1991. On February 24, 1992, we initiated the administrative review (57 FR 6314), and, on February 26, 1992, AST withdrew its request.

Since no other interested parties have requested an administrative review for this period, and since the letter of withdrawal was timely filed, the Department is now terminating this administrative review in accordance with 19 CFR 355.22(a)(3).

This notice is published pursuant to section 751(a)(1) of the Tariff Act of 1930, as amended (19 U.S.C. 1675(a)(1)), and 19 CFR 355.22.

Dated: March 9, 1992.

Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.

[FR Doc. 92–6093 Filed 3–13–92; 8:45 am]

BILLING CODE 3510–DS–M

President's Export Council: Meeting of the President's Export Council

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of an open meeting.

SUMMARY: The President's Export Council (PEC) is holding a meeting to review the work of each of the subcommittees and to discuss future projects. Issues relating to foreign market development, U.S. trade competitiveness, export promotion, export financing, and export controls will also be discussed. A report on the President's Asia Trip and the PEC's recent trade mission to Taiwan will be presented. The President's Export Council was established on December 20, 1973, and reconstituted May 4, 1979, to advise the President on matters relating to U.S. export trade.

DATES: March 31, 1992, from 9:15 a.m. to 12:30 p.m.

ADDRESSES: The Madison Hotel, Executive Chambers, 15th and M Street, NW., Washington, DC 20005.

Seating is limited and will be on a first come, first serve basis.

FOR FURTHER INFORMATION CONTACT: Ms. Annette Richard, President's Export Council, room 3215, Washington, DC 20230.

Dated: March 11, 1992.

Wendy H. Smith,

Staff Director and Executive Secretary, President's Export Council.

[FR Doc. 92–6082 Filed 3–13–92; 8:45 am]

BILLING CODE 3510–DR–M

Applications for Duty-Free Entry of Scientific Instruments

Pursuant to section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89–651; 80 Stat. 897; 15 CFR part 301), we invite comments on the question of whether instruments of equivalent scientific value, for the purposes for which the instruments shown below are intended to be used, are being manufactured in the United States.

Comments must comply with subsections 301.5(a)(3) and (4) of the regulations and be filed within 20 days with the Statutory Import Programs Staff, U.S. Department of Commerce, Washington, DC 20230. Applications may be examined between 8:30 a.m. and 5:00 p.m. in room 4211, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC.

Docket Number: 92–015. *Applicant:* Washington University School of Medicine, Department of Cell Biology and Physiology, 660 South Euclid Avenue, Box 8228, St. Louis, MO 63110. *Instrument:* Two (2) Micromanipulators and Mounting Accessories, Models WR–89–L and MM–3–R. *Manufacturer:* Narishige Scientific Instruments, Japan. *Intended Use:* The instruments will be used to study ion channels in nerve cell membranes. Using the patch clamp technique experiments will involve recording the flow of ionic current through ion channels gated by the neurotransmitter glutamate in order to understand how the channels work—how glutamate causes them to open and how they conduct the ions through the membrane. *Application Received by Commissioner of Customs:* February 6, 1992.

Docket Number: 92–016. *Applicant:* Department of Veterans Affairs Medical Center, University and Woodland Avenues, Philadelphia, PA 19104. *Instrument:* Electron Microscope, Model H–7000. *Manufacturer:* Nissei Sangyo, Japan. *Intended Use:* The instrument will be used for ultrastructural examination of biological material, including human and animal tissues. This ultrastructural study provides more accurate, specific classification of tumors or other medical diseases and thereby enables a more specific and up-to-date treatment with obvious advantage to the patient. Various experiments are planned to study the etiology, pathogenesis and biological course of different diseases. In addition, the instrument will be used for training in electron microscopy. *Application Received by Commissioner of Customs:* February 11, 1992.

Docket Number: 92–017. *Applicant:* Massachusetts Institute of Technology, 77 Massachusetts Avenue, Cambridge, MA 02139. *Instrument:* Stopped-Flow Spectrophotometer Fluorimeter, System, Model SF–61AFX. *Manufacturer:* Hi-Tech Scientific, United Kingdom. *Intended Use:* The instrument will be used to study the cleavage of DNA mediated by the end-diyne class of antibiotics, which include the clinically important anti-cancer drugs bleomycin and neocarzinostatin. In addition, the instrument will be used to study fast chemical reactions catalyzed by several enzymes involved in nucleotide metabolism. *Application Received by Commissioner of Customs:* February 12, 1992.

Docket Number: 92–018. *Applicant:* Yale University School of Medicine, Department of Pathology, 310 Cedar Street, New Haven, CT 06510. *Instrument:* Electron Microscope, Model EM 910. *Manufacturer:* Carl Zeiss, Germany. *Intended Use:* The instrument will be used to conduct basic biomedical research. Some of the research projects include:

1. Morphometric and stereologic assessment of plasma membrane changes and immunocytochemical localization and quantitation of specific membrane, cytoskeletal and matrix proteins and quantitative in situ hybridization for localization of messenger RNA's of these proteins.

2. Examination of the cellular mechanisms of adaptation in principal cells and intercalated cells of the renal collecting duct.

3. Characterization of the determinants of mesangial cell proliferation and matrix accumulation using primary cultures of mesangial cells.

4. Studies of the mechanisms which are involved in development and maintenance of cell polarity of renal epithelial cells, and

5. Studies directed at examining the cellular processes involved in the restoration of cellular integrity of renal epithelial cells ischemic or toxic injury.

Application Received by Commissioner of Customs: February 12, 1992.

Docket Number: 92–019. *Applicant:* Yale University, 155 Whitney Avenue, New Haven, CT 06520. *Instrument:* Electron Microscope, Model EM 902. *Manufacturer:* Carl Zeiss, Germany. *Intended Use:* The instrument will be used in ongoing scientific investigations examining the basic biology and pathophysiology of axons and glial cells in the central and peripheral nervous systems. The objectives of these studies are to fully understand the physiology and pathobiology of axons, and their related glial cells, in the function of the nervous system, including brain, spinal cord and peripheral nerves. *Application Received by Commissioner of Customs:* February 14, 1992.

Docket Number: 92–020. *Applicant:* The University of Vermont, Burlington, VT 05405. *Instrument:* Xenon Flashlamp System, Model XF–10. *Manufacturer:* Hi-Tech Scientific, United Kingdom. *Intended Use:* The instrument will be used in biomedical research to excite single muscle cells in tissue culture in order to release intracellular chemicals. The experiments are designed to test the function of muscle cells in culture. In addition, the instrument will be used for educational purposes in the course "Techniques in Neurobiology." *Application Received by Commissioner of Customs:* February 14, 1992.

Docket Number: 92–021. *Applicant:* Western Washington University, Division of Purchases, Old Main, room 320, Bellingham, WA 98225–9012. *Instrument:* Stopped-Flow Rapid Kinetics Accessory. *Manufacturer:* Applied Photophysics Ltd., United Kingdom. *Intended Use:* The instrument will be used for studies of fast (100–1000 ms) chemical reactions of inorganic metal complexes in solution during concentration and temperatures dependent kinetics experiments. In addition, the instrument will be used to provide students with hands-on experience in measuring reaction rates for fast chemical reactions in the course, Chemistry 464, 465: Physical/ Inorganic Chemistry Laboratory. *Application Received by Commissioner of Customs:* February 14, 1992.

Docket Number: 92–022. *Applicant:* All Children's Hospital, 810 6th Street, South, St. Petersburg, FL 33701. *Instrument:* Electorn Microscope, Model JEM–1210EX. *Manufacturer:* JEOL Ltd., Japan. *Intended Use:* The instrument will be used for researching the ultrastructure of pediatric pathologies. Specimens studied will be from children with pathological disorders. Some specimens will be from normal children and some specimens will be from experimental animals. The experimentation and research will include but is not limited to the following:

1. Characterization of neoplastic tissues,

2. Identification of viruses associated with intestinal pathologies,

3. Cyto-skeletal structure of intestinal cilia,

4. Characterization of cell fractions obtained from kidney tissue,

5. Characterization of renal glomerus,

6. Morphology and characterization of resting and activated lymphocytes, and

7. Dynamics of deoxyribonucleic acid (DNA) specific stain models.

Application Received by Commissioner of Customs: February 14, 1992.

Docket Number: 92–023. *Applicant:* Wayne State University, Department of Chemistry, 5101 Cass Avenue, Detroit, MI 48202. *Instrument:* Kinetic Spectrometer, Model LKS.50. *Manufacturer:* Applied Photophysics Ltd., United Kingdom. *Intended Use:* The instrument will be used for studies of free radical intermediates produced by a laser flash. The studies are aimed to etablish kinetic scales for a number of radical reations. *Application Received by Commissioner of Customs:* February 19, 1992.

Docket Number: 92–024. *Applicant:* U.S. Geological Survey, 12201 Sunrise Valley Drive, Reston, VA 22092. *Instrument:* (3) Electron Microprobes, Model JXA–8900. *Manufacturer:* JEOL Ltd., Japan. *Intended Use:* The instruments will be used for the study of the chemical composition, elemental distribution and compositional zoning behavior of geologic materials. The experiments to be conducted consist of focussing a high voltage electron beam on a solid sample (usually a polished grain mount or thin section), generating characteristic x-rays, and measuring these x-rays quantitatively with wavelength and energy dispersive spectrometers. In addition, the instrument will be used for training USGS staff in the operation and maintenance of the instruments.

Application Received by Commissioner of Customs: February 19, 1992.

Frank W. Creel,

Director, Statutory Import Programs Staff.

[FR Doc. 92–6083 Filed 3–13–92; 8:45 am]

BILLING CODE 3510–DS–M

Minority Business Development Agency

[Project I.D. No. 06–10–92007–01]

Business Development Center Applications: Lubbock/Midland-Odessa MBDC

AGENCY: Minority Business Development Agency, Commerce.

ACTION: Notice.

SUMMARY: In accordance with Executive Order 11625, the Minority Business Development Agency (MBDA) is soliciting competitive applications under its Minority Business Development Center (MBDC) program to operate an MBDC for approximately a 3-year period, subject to Agency priorities, recipient's performance and the availability of funds. The cost of performance for the first budget period (12 months) is estimated as $223,250 in Federal funds, and a minimum of $39,397 in non-Federal (cost sharing) contributions from August 1, 1992 to July 31, 1993. An amount of $8,250 has been allocated for the audit fee and should be listed in the contractual line item under the Federal amount. Cost-sharing contributions may be in the form of cash contributions, client fees, in-kind contributions or combinations thereof.

The MBDC will operate in the Lubbock, Texas MSA geographic service area with a field office in Midland-Odessa. The geographic area will extend throughout the Central and Northwestern portion of the state of Texas. The funding breakdown is as follows: $173,250 Federal and $30,573 non-Federal for Lubbock and $50,000 Federal and $8,824 non-Federal for Midland-Odessa and other major cities in the Central and Northwest portion of the state.

The funding instrument for the MBDC will be a cooperative agreement. Competition is open to individuals, non-profit and for-profit organizations, state and local governments, American Indian tribes and educational institutions.

The MBDC program is designed to provide business development services to the minority business community for the establishment and operation of viable minority businesses. To this end, MBDA funds organizations that can identify and coordinate public and

private sector resources on behalf of minority individuals and firms; offer a full range of management and technical assistance; and serve as a conduit of information and assistance regarding minority business.

Applications will be evaluated initially by regional staff on the following criteria: The experience and capabilities of the firm and its staff in addressing the needs of the business community in general and, specifically, the special needs of minority businesses, individuals and organizations (50 points); the resources available to the firm in providing business development services (10 points); the firm's approach (techniques and methodologies) to performing the work requirements included in the application (20 points); and the firm's estimated cost for providing such assistance (20 points). An application must receive at least 70% of the points assigned to any one evaluation criteria category to be considered programmatically acceptable and responsive. The selection of an application for further processing by MBDA will be made by the Director based on a determination of the application most likely to further the purpose of the MBDC Program. The application will then be forwarded to the Department for final processing and approval, if appropriate. The Director will consider past performance of the applicant on previous Federal awards.

MBDCs shall be required to contribute at least 15% of the total project cost through non-Federal contributions. To assist them in this effort, MBDCs may charge client fees for management and technical assistance (M&TA) rendered. Based on a standard rate of $50 per hour, MBDCs will charge client fees at 20% of the total cost for firms with gross sales of $500,000 or less, and 35% of the total cost for firms with gross sales of over $500,000.

MBDCs performing satisfactorily may continue to operate after the initial competitive year for up to 2 additional budget period. MBDCs with year-to-date "commendable" and "excellent" performance ratings may continue to be funded for up to 3 or 4 additional budget periods, respectively. Under no circumstances shall an MBDC be funded for more than 5 consecutive budget periods without competition. Periodic reviews culminating in year-to-date quantitative and qualitative evaluations will be conducted to determine if funding for the project should continue. Continued funding will be at the discretion of MBDA based on such factors as an MBDC's performance, the availability of funds and Agency priorities.

Awards under this program shall be subject to all Federal and Departmental regulations, policies, and procedures applicable to Federal assistance awards.

In accordance, with OMB Circular A-129, "Managing Federal Credit Programs," applicants who have an outstanding account receivable with the Federal Government may not be considered for funding until these debts have been paid or arrangements satisfactory to the Department of Commerce are made to pay the debt.

Applicants are subject to Governmentwide Debarment and Suspension (Nonprocurement) requirements as stated in 15 CFR part 26. 15 CFR part 28 is applicable and prohibits recipients of Federal contracts, grants, and cooperative agreements from using appropriated funds for influencing or attempting to influence an officer or employee of any agency, A Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a specific contract, grant, or cooperative agreement. The Departmental Grants Officer may terminate any grant/cooperative agreement in whole or in part at any time before the date of completion whenever it is determined that the MBDC has failed to comply with the conditions of the grant/cooperative agreement. Examples of some of the conditions which can cause termination are failure to meet cost-sharing requirements; unsatisfactory performance of MBDC work requiremets; and reporting inaccurate or inflated claims of client assistance or client certification. Such inaccurate or inflated claims may be deemed illegal and punishable by law.

On November 18, 1988, Congress enacted the Drug-Free Workplace Act of 1988 Pub. L. 100-690, title V, subtitle D). The statute requires contractors and grantees of Federal agencies to certify that they will provide a drug-free workplace. Pursuant to these requirements, the applicable certification form must be completed by each applicant as a precondition for receiving Federal grant or cooperative agreement awards.

"Certification for Contracts, Grants, Loans, and Cooperative Agreement" and SF-LLL, the "Disclosure of Lobbying Activities" (if applicable) is required in accordance with Section 319 of Public Law 101-121, which generally prohibits recipients of Federal contracts, grants, and loans from using Legislative Branches of the Federal Government in connection with a specific contract, grant or loan. Form CD-511, "Certifications Regarding Debarment, Suspension and Other Responsibility Matter; Drug-Free Workplace Requirements and Lobbying" and, when applicable, the SF-LLL, are required.

Closing Date: The closing date for applications is April 25, 1992. Applications must be postmarked on or before April 25, 1992.

Note: Please mail completed application to the following address: Chicago Regional Office, 55 E. Monroe Street, suite 1440, Chicago, Illinois 60603.

For Application Kit or Other Information Contract: Dallas Regional Office, 1100 Commerce Street, room 7B23, Dallas, Texas 75242, Attn: Yvonne Guevara, (214) 767-8001.

A pre-bid conference will be held on April 3, 1992 in the U.S. Federal Building, room 424, on 1205 Texas Ave., Lubbock, Texas at 10 a.m.

SUPPLEMENTARY INFORMATION: Anticipated processing time of this award is 120 days. Executive Order 12372, "Intergovernmental Review of Federal Programs," is not applicable to this program. Questions concerning the preceding information, copies of application kits and applicable regulations can be obtained at the above address.

11.800 Minority Business Development (Catalog of Federal Domestic Assistance)

Dated: March 10, 1992.

Melda Cabrera,

Regional Director, Dallas Regional Office.

[FR Doc. 92-6027 Filed 3-13-92; 8:45 am]

BILLING CODE 3510-21-M

National Oceanic and Atmospheric Administration

[Docket No. 920255-2055]

Inspection and Certification Fees and Charges

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Notice of 1992 inspection fees.

SUMMARY: NOAA announces a change in the established rates for voluntary Department of Commerce fishery product grading and cerification services consistent with its intent to provide inspection services at the lowest appropriate cost. The change represents an increase of 4.2 percent in the basic hourly rates and results from a pay raise of 4.2 percent for Federal employees effective January 1, 1992.

EFFECTIVE DATE: January 2, 1992.

FOR FURTHER INFORMATION CONTACT: Richard V. Cano, Division Chief, Inspection Services Division, National Marine Fisheries Service, Silver Spring, MD 20910, Phone 301/713-2355.

SUPPLEMENTARY INFORMATION: Regulations at 50 CFR 260.70 authorize the Secretary of Commerce to review and revise annually the rates for voluntary fishery products inspection, grading, and certification services by publishing a notice of fee changes in the **Federal Register**. The revised hourly rates reflect a 4.2 percent salary raise for Federal employees. Below is the schedule of fees effective January 1, 1992. The procedure to calculate the Type II hourly fee has been changed by adding 40 percent, rather than 50 percent, to the Type I fee. This change will be reflected in an amendment to the regulations. The fees outlined for the State of Alaska are for services provided by cross-licensed State of Alaska inspectors. Charges for services provided in Alaska by NMFS inspectors will be at the rates as specified, plus cost of living allowances. The rates outlined below for the State of Minnesota are for services provided by cross-licensed State of Minnesota inspectors. Charges for services provided in Minnesota by NMFS inspectors will be at the rates specified previously. The rates charged in the State of Minnesota are subject to change based on information supplied by the Minnesota Department of Agriculture.

(a) Type I—Official establishment and product inspection—contract basis:

	Per hour
Regular (except Alaska and Minnesota)	$32.45
Overtime (except Alaska and Minnesota)	48.70
Sunday and legal holidays (2 hrs. minimum) (except Alaska and Minnesota)	64.90

(1) The contracting party will be charged at an hourly rate of $32.45 per hour for regular time; (2) $48.70 per hour for overtime in excess of 8 hours per shift per day; and (3) $64.90 per hour for Sunday and national legal holidays for services performed by inspectors at official establishment(s) operating under Federal inspection. In addition to any hourly service charge, a night differential fee equal to 10 percent of the employee's hourly salary will be charged for each hour of service provided after 6 p.m. and before 6 a.m. The contracting party will be billed monthly for services rendered in accordance with contractual provisions at the rates prescribed in this section. Products designated in a contract will be inspected during processing at the hourly rate for regular time, plus overtime, when appropriate.

(b) Type II—Lot inspection—Official and unofficially drawn samples:

	Per hour
Regular (except Alaska and Minnesota)	$45.45
Overtime (except Alaska and Minnesota)	68.15
Sunday and legal holidays (2 hrs. minimum) (except Alaska and Minnesota)	90.90
Minimum fee (except Alaska and Minnesota)	34.10

(1) For lot inspection services performed between the hours of 7 a.m. and 5 p.m., Monday through Friday—$45.45 per hour.

(2) For lot inspection services performed at times Monday through Friday other than between 7 a.m. and 5 p.m., and on Saturdays (2 hrs. minimum)—$68.15 per hour. (3) Sunday and national legal holidays (2 hrs. minimum)—$90.90 per hour. (4) The minimum service fee to be charged and collected for inspection of any lot or lots of products requiring less than 1 hour will be $34.10.

(c) Type III—Miscellaneous inspection and consultative services.

When any inspection or related services such as, but not limited to, initial and final establishment surveys, appeal inspections, contract lot inspections, sanitation evaluations, Sanitary Inspected Fish Establishment (SIFE) inspections, sampling, product evaluations, and label and product specification reviews, requires charges to which the foregoing sections are clearly inapplicable, charges will be based on the rates set forth below:

	Per hour
Regular (except Alaska and Minnesota)	$40.55
Overtime (except Alaska and Minnesota)	60.85
Sunday and legal holidays (2 hrs. minimum) (except Alaska and Minnesota)	81.15
Minimum fee (except Alaska and Minnesota)	30.45

In keeping with the intent of the authorizing legislation and the policies of the Inspection Program to charge fees to recover, as nearly as possible, the costs of providing inspection services, the hourly rates charged to contract lot inspection users who provide complete and acceptable facilities which are used by U.S. Department of Commerce (USDC) inspectors to conduct the necessary official contract functions will be those delineated under Type I. In all other cases, contract lot inspection users will be charged Type III rates.

(1) For miscellaneous inspection and consultative services performed between the hours 7 a.m. and 5 p.m., Monday through Friday—$40.55 per hour. (2) For miscellaneous inspection and consultative services performed Monday through Friday, other than between 7 a.m. and 5 p.m., and on Saturdays (2 hrs. minimum)—$60.85 per hour. (3) For miscellaneous inspection and consultative services performed on Sunday and national legal holidays (2 hrs. minimum)—$81.15 per hour. (4) The minimum service fee to be charged and collected for miscellaneous inspection and consultative services requiring less than 1 hour will be $30.45.

(d) The hourly rates for the State of Alaska as performed by cross-licensed State of Alaska inspectors are as follows: Charges for services provided in Alaska by NMFS inspectors will be at the rate stated previously, plus cost of living allowances. For Type I inspection, in addition to any hourly service charge, a night differential fee equal to 10 percent of the employee's hourly salary will be charged for each hour of service provided after 6 p.m. and before 6 a.m.

STATE OF ALASKA—AREA

	Aleutian Chain Bristol Bay Dillingham	South East & South Central Anchorage, Kenai, Juneau, Ketchikan	Remainder of Alaska, Kodiak
Type I:	(Per hour)	(Per hour)	(Per hour)
Regular time	$45.55	$37.55	$40.25
Overtime	62.90	51.90	55.55
Sunday and legal holidays	78.40	64.65	69.25
Type II:			
Regular time	57.90	48.50	51.15
Overtime	79.90	68.90	72.65
Sunday and legal holidays	104.75	88.75	94.05
Minimum fee	47.50	39.80	41.95
Type III:			
Regular time	50.55	42.05	44.70
Overtime	67.25	56.40	60.40
Sunday and legal holidays	86.50	72.40	78.25
Minimum fee	45.00	37.45	40.25

(e) The hourly rates for the State of Minnesota as performed by cross-licensed State of Minnesota inspectors are as follows:

The rates outlined below for the State of Minnesota are for services provided by cross-licensed State of Minnesota inspectors. Charges for services provided in Minnesota by NMFS inspectors will be at the rates specified previously. The rates charged in the State of Minnesota are subject to change based on information supplied by the Minnesota Department of Agriculture.

State of Minnesota

Type I—Official establishment and product inspection services:	
Regular time	$33.15
Overtime	49.75
Sunday and legal holidays	66.30
Type II—Lot Inspection—officially and unofficially drawn samples:	
Regular time	46.40
Overtime	69.65
Sunday and legal holidays	92.85
Minimum fee	34.60
Type III—Miscellaneous inspection and consultative services:	
Regular time	41.45
Overtime	62.15
Sunday and legal holidays	82.90
Minimum fee	31.10

(f) Analytical services: Applicants requesting specific analyses to be performed in a NMFS laboratory will be charged at the rates identified below.

Analyses performed in a private laboratory will be charged at the current rate of that laboratory. Charges based on these fees will be in addition to any hourly rates charged for lot, miscellaneous, and consultative inspection service, as well as to any hourly rates charged for inspection services provided under a contract at official establishments.

Microbiology:	
Total aerobic plate count	$11.98
Total coliform	11.98
Fecal coliform	11.98
E. coli	11.98
Staph. aureus	17.97
Salmonella BAM Method Step 1	17.97
Step 2	[1] 11.98
Step 3	[1] 17.97
Chemistry:	
Histamine	71.90
Indole	71.90
Ammonia	53.92
Sodium bisulfite	[2] 71.90
Isoelectric focusing (species identification)	[2] 71.90
Bioassay:	
Paralytic shellfish poison (minimum of 3 samples)	[2] 51.05

[1] Additional.
[2] Per sample.

Notes: The above costs are for analyses only. Sampling and travel time will be assessed using the Type II rates. Mileage costs will be assessed at the current rate. For other analyses not shown or not frequently requested, the charge will be assessed at the Type III hourly rate of $40.55.

All charges are per sample for sample sizes of six samples or less. These rates, except for asterisked items, should be discounted 30 percent per sample for sample sizes of seven or more run in a single day's analysis.

A surcharge of 20 percent of the total charge will be charged for administrative purposes.

Classification

This action is taken under the authority of 50 CFR 260.70 and complies with Executive Order 12291. It is not subject to the requirements of the Regulatory Flexibility Act. It does not contain a collection-of-information requirement for purposes of the Paperwork Reduction Act. (16 U.S.C. 742e and 7 U.S.C. 1622, 1624).

Dated: March 9, 1992.

Samuel W. McKeen,

Program Management Officer.

[FR Doc. 92-6079 Filed 3-13-92; 8:45 am]

BILLING CODE 3510-22-M

Caribbean Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service, NOAA, Commerce.

The Caribbean Fishery Management Council (Council) and the Council's Administrative Committee will hold public meetings on March 24–27, 1992, in the Conference Room at the Pierre Hotel, San Juan, Puerto Rico. Fishermen and other interested persons are invited to attend the meetings, which will be conducted in English. Simultaneous interpretation (English/Spanish) will be provided at the Council meeting. The public may submit oral or written statements regarding the agenda items.

Council—The Council will hold its 75th regular public meeting on March 25 and 26 beginning at 9 a.m., with recess at 5 p.m. on each day. The Council will reconvene the meeting on March 27 at 9 a.m., and adjourn at noon. Among other topics, the Council will discuss wthe Second Amendment to the Shallow-Water Reef Fish Coral and Conch Fishery Management Plans.

Administrative Committee—The Committee will begin its public meeting on March 24 at 2 p.m., to discuss matters pertaining to the Council's administrative operations, and adjourn at 5 p.m.

For more information contact Miguel A. Rolon, Executive Director, Caribbean Fishery Management Council, Banco de Ponce Building, suite 1108, Hato Rey, Puerto Rico 00918-2577; telephone: (809) 766-5926.

Dated: March 10, 1992.

David S. Crestin,

Deputy Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 92-6019 Filed 3-13-92; 8:45 am]

BILLING CODE 3510-22-M

Mid-Atlantic Fishery Management Council; Public Meetings

AGENCY: National Marine Fisheries Service, NOAA, Commerce.

The Mid-Atlantic Fishery Management Council will hold a meeting of its Surf Clam Ocean Quahog Committee with industry advisors on March 31, 1992, beginning at 9 a.m., at the Sheraton Inn, 1570 N. DuPont Highway, Dover, DE., (telephone: 302-678-8500). This meeting will be followed by a meeting of the Executive Committee at 2 p.m., and a meeting of the Habitat Committee at 3 p.m.

The Council will begin its regular meeting on April 1, 1992, at 9 a.m. and adjourn at approximately 1 p.m., on April 2. In addition to reviewing committee reports, the Council may amend the Statement of Operating Practices and Procedures and other fishery management matters as deemed necessary. The meeting may be lengthened or shortened depending on the progress of the agenda. The Council may go into closed session (not open to the public) to discuss personnel and/or national security matters.

For more information, contact John Bryson, Executive Director, Mid-Atlantic Fishery Management Council, room 2115, Federal Building, 300 South New Street, Dover, DE 19901; telephone: (320) 674-2331.

Dated: March 10, 1992.

David S. Crestin,

Deputy Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 92-6020 Filed 3-13-92; 8:45 am]

BILLING CODE 3510-22-M

COMMISSION OF FINE ARTS

Cancellation of Meeting

The Commission of Fine Arts' meeting scheduled for Thursday, 19 March 1992 has been cancelled. The next Commission meeting is scheduled for 16 April 1992 at 10 a.m. in the Commission's offices in the Pension Building, suite 312, Judiciary Square, 441 F Street, NW., Washington, DC 20001 to discuss various projects affecting the appearance of Washington, DC, including buildings, memorials, parks, etc.; also matters of design referred by other agencies of the government. Handicapped persons should call the Commission offices (202-504-2200) for details concerning access to meetings.

Inquiries regarding the agenda and requests to submit written or oral statements should be addressed to

Charles H. Atherton, Secretary, Commission of Fine Arts, at the above address or call the above number.

Dated in Washington, DC 6 March 1992.

Charles H. Atherton,

Secretary.

[FR Doc. 92-6034 Filed 3-13-92; 8:45 am]

BILLING CODE 6330-01-M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Request for Public Comments on Bilateral Textile Consultations with Guatemala on Certain Wool Textile Products

March 10, 1992.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Notice.

FOR FURTHER INFORMATION CONTACT: Nicole Bivens Collinson, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 377-4212. For information on categories for which consultations have been requested, call (202) 377-3740.

SUPPLEMENTARY INFORMATION:

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

On February 28, 1992, under the terms of section 204 of the Agricultural Act of 1956, as amended, the Government of the United States requested consultations with the Government of Guatemala with respect to wool textile products in Category 448 (trousers, breeches and shorts), produced or manufactured in Guatemala.

The purpose of this notice is to advise the public that, if no solution is agreed upon in consultations with the Government of Guatemala, the Committee for the Implementation of Textile Agreements may later establish a limit for the entry and withdrawal from warehouse for consumption of wool textile products in Category 448, produced or manufactured in Guatemala and exported during the twelve-month period which began on February 28, 1992 and extends through February 27, 1993, at a level of not less than 37,689 dozen.

A summary market statement concerning Category 448 follows this notice.

Anyone wishing to comment or provide data or information regarding the treatment of Category 448, or to comment on domestic production or availability of products included in Category 448, is invited to submit 10 copies of such comments or information to Auggie D. Tantillo, Chairman, Committee for the Implementation of Textile Agreements, U.S. Department of Commerce, Washington, DC 20230; ATTN: Helen L. LeGrande.

Because the exact timing of the consultations is not yet certain, comments should be submitted promptly. Comments or information submitted in response to this notice will be available for public inspection in the Office of Textiles and Apparel, room H3100, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC.

Further comments may be invited regarding particular comments or information received from the public which the Committee for the Implementation of Textile Agreements considers appropriate for further consideration.

The solicitation of comments regarding any aspect of the agreement or the implementation thereof is not a waiver in any respect of the exemption contained in 5 U.S.C. 553(a)(1) relating to matters which constitute "a foreign affairs function of the United States."

The United States remains committed to finding a solution concerning Category 448. Should such a solution be reached in consultations with the Government of Guatemala, further notice will be published in the **Federal Register.**

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see **Federal Register** notice 56 FR 60101, published on November 27, 1991).

Auggie D. Tantillo,

Chairman, Committee for the Implementation of Textile Agreements.

Market Statement—Guatemala

Category 448—Women's and Girls' Wool Trousers, Slacks and Shorts

February 1992

Import Situation and Conclusion

U.S. imports of women's and girls' wool trousers, slacks and shorts, Category 448, from Guatemala reached 37,150 dozen in 1991, almost seven and one-half times the 5,026 dozen imported in 1990. In 1991, Guatemala became the second largest supplier of women's and girls' wool trousers, slacks and shorts to the U.S. accounting for 11 percent of total imports. In 1990, Guatemala ranked 17th among the major suppliers accounting for 1.5 percent of total Category 448 imports.

The sharp and substantial increase in Category 448 imports from Guatemala is disrupting the U.S. market for women's and girls' wool trousers, slacks and shorts.

U.S. Production and Market Share

U.S. production of women's and girls' wool trousers, slacks and shorts, Category 448, increased to 574,000 dozen in 1988, then declined in 1989, 1990, and 1991. Production fell to an estimated 218,000 dozen in 1991, eight percent below the 1990 level and 45 percent below the 1987 level. The domestic manufacturers' share of this market fell from 57 percent in 1987 to 39 percent in 1991, a decline of 18 percentage points.

U.S. Imports and Import Penetration

U.S. imports of women's and girls' wool trousers, slacks and shorts, Category 448, increased from 299,000 dozen in 1987 to 345,000 dozen in 1991, a 15 percent increase. The ratio of imports to domestic production reached 158 percent in 1991, double the 76 percent recorded in 1987.

Duty-Paid Value and U.S. Producers' Price

Approximately 84 percent of Category 448 imports from Guatemala in 1991 entered under the HTSUSA number 6204.61.0010—women's wool trousers and breeches. These trousers and breeches entered the U.S. at landed duty-paid values below U.S. producers' prices for comparable trousers and breeches.

[FR Doc. 92-6028 Filed 3-13-92; 8:45 am]

BILLING CODE 3510-DR-F

Request for Public Comments on Bilateral Textile Consultations with the Government of the United Arab Emirates on Certain Cotton and Man-Made Fiber Textile Products

March 10, 1992.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Notice.

FOR FURTHER INFORMATION CONTACT: Jennifer Tallarico, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 377-4212. For information on categories for which consultations have been requested, call (202) 377-3740.

SUPPLEMENTARY INFORMATION:

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

On February 29, 1992, under the terms of section 204 of the Agricultural Act of 1956, as amended, the Government of

the United States requested consultations with the Government of the United Arab Emirates regarding Categories 313 (cotton sheeting) and 350/650 (cotton and man-made fiber robes and dressing gowns), produced or manufactured in the United Arab Emirates.

The purpose of this notice is to advise the public that, if no solution is agreed upon in consultations with the Government of the United Arab Emirates, the Committee for the Implementation of Textile Agreements may later establish limits for the entry and withdrawal from warehouse for consumption of textile products in Categories 313 and 350/650, produced or manufactured in the United Arab Emirates and exported during the twelve-month period which began on February 29, 1992 and extends through February 28, 1993 at levels of not less than 2,395,898 square meters (Category 313) and 29,655 dozen (Categories 350/650).

Summary market statements concerning Categories 313 and 350/650 follow this notice.

Anyone wishing to comment or provide data or information regarding the treatment of Categories 313 and 350/650, or to comment on domestic production or availability of products included in Categories 313 and 350/650, is invited to submit 10 copies of such comments or information to Auggie D. Tantillo, Chairman, Committee for the Implementation of Textile Agreements, U.S. Department of Commerce, Washington, DC 20230; ATTN: Helen L. LeGrande.

Because the exact timing of the consultations is not yet certain, comments should be submitted promptly. Comments or information submitted in response to this notice will be available for public inspection in the Office of Textiles and Apparel, room H3100, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC.

Further comments may be invited regarding particular comments or information received from the public which the Committee for the Implementation of Textile Agreements considers appropriate for further consideration.

The solicitation of comments regarding any aspect of the agreement or the implementation thereof is not a waiver in any respect of the exemption contained in 5 U.S.C. 553(a)(1) relating to matters which constitute "a foreign affairs function of the United States."

The United States remains committed to finding a solution concerning Categories 313 and 350/650. Should such a solution be reached in consultations with the Government of the United Arab Emirates, further notice will be published in the **Federal Register**.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see **Federal Register** notice 56 FR 60101, published on November 27, 1991).

Auggie D. Tantillo,

Chairman, Committee for the Implementation of Textile Agreements.

Market Statement—United Arab Emirates

Category 313—Cotton Sheeting Fabric

February 1992

Import Situation and Conclusion

U.S. imports of cotton sheeting fabric, Category 313, from the United Arab Emirates began in June 1991 and reached 2,766,230 square meters during June-December 1991. The United Arab Emirates is a new supplier of cotton sheeting fabric to the U.S. market. In the last seven months of 1991, the United Arab Emirates shipped an average of 395,200 square meters of cotton sheeting fabric per month, accounting for one percent of total Category 313 imports in 1991.

The sharp and substantial increase in Category 313 imports from the United Arab Emirates is disrupting the U.S. market for cotton sheeting fabric.

Import Penetration and Market Share

U.S. production of cotton sheeting fell to 523,388,000 square meters in 1990, 4 percent below the 1989 level and 11 percent below the 1988 level. Production continued downward in 1991, falling to 375,118,000 square meters during January-September 1991, 7 percent below the January-September 1990 level. In contrast, U.S. imports of Category 313 from all sources reached 391,316,118 square meters in 1991, an increase of 35 percent over the 1988 level.

The U.S. producers' share of the cotton sheeting market dropped 7 percentage points, falling from 67 percent in 1988 to 60 percent in 1990. The drop in the U.S. producers' market share continued in 1991, falling to 56 percent during January-September 1991. The ratio of imports to domestic production increased from 50 percent in 1988 to 67 percent in 1990, and reached 79 percent during January-September 1991.

Duty-Paid Value and U.S. Producers' Price

Approximately 92 percent of Category 313 imports from the United Arab Emirates during the year ending December 1991 entered the U.S. under HTSUSA number 5208.12.4040—Plain weave cotton sheeting fabric of yarn numbers 42 or lower, weighing more than 100 grams per square meter. These fabrics entered the U.S. at duty-paid landed values below U.S. producers' prices for comparable fabrics.

Market Statement—United Arab Emirates

Category 350/650—Cotton and Man-Made Fiber Robes and Dressing Gowns

February 1992

Import Situation and Conclusion

U.S. imports of cotton and man-made fiber robes and dressing gowns, Category 350/650, from the United Arab Emirates reached 25,433 dozen in 1991, almost three times the 8,526 dozen imported in 1990 and the 9,075 dozen imported in 1989, the United Arab Emirates shipped 480 dozen to the U.S. in 1988.

The sharp and substantial increase in Category 350/650 imports from United Arab Emirates is causing disruption in the U.S. market for cotton and man-made fiber robes and dressing gowns.

U.S. Production, Import Penetration and Market Share

U.S. production of cotton and man-made fiber robes and dressing gowns, Category 350/650, declined from 3,385,000 dozen in 1987 to 2,274,000 dozen in 1990, a 33 percent decline. This decline continued in 1991, with production falling to 1,166,000 dozen during the January-September 1991 period, 29 percent below the 1,631,000 dozen produced a year earlier. In contrast, U.S. imports of cotton and man-made fiber robes and dressing gowns Category 350/650, increased from 1,342,000 dozen in 1987 to 1,983,000 dozen in 1991, an increase of 48 percent.

The ratio of imports to domestic production doubled, increasing from 40 percent in 1987 to 84 percent in 1990. This increase continued in 1991, with the ratio of imports to domestic production reaching 123 percent for January-September 1991 period. The domestic manufacturers' share of this market fell from 72 percent in 1987 to 54 percent in 1990, a drop of 18 percentage points. This decline in market share continued in 1991, with the domestic manufacturers' share falling to 45 percent for the January-September 1991 period.

Duty-Paid Value and U.S. Producers' Price

Approximately 81 percent of Category 350/650 imports from the United Arab Emirates in 1991 entered the U.S. under HTSUSA number 6208.91.1010—womens' cotton bathrobes and dressing gowns. These bathrobes and dressing gowns entered the U.S. at landed duty-paid values below U.S. producers' prices

for comparable bathrobes and dressing gowns.

[FR Doc. 92-6030 Filed 3-13-92; 8:45 am]

BILLING CODE 3510-DR-F

DEPARTMENT OF DEFENSE

Public Information Collection Requirement Submitted to OMB for Review

ACTION: Notice.

The Department of Defense has submitted to OMB for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

Title, Applicable Form, and Applicable OMB Control Number: DOD FAR Supplement part 251 and related clauses at part 252.251: OMB Clearance Number 0704-0252.

Type of Request: Extension.

Average Burden Hours/Minutes per Response: 30 minutes.

Responses per Respondent: 3.

Number of Respondents: 3,500.

Annual Burden Hours: 5,250.

Annual Responses: 10,500.

Needs and Uses: This information collection requirement concerns the use of government supply sources by contractors.

Affected Public: Businesses or other for-profit, non profit institutions and Small Businesses or Organizations.

Frequency: On Occasion.

Respondents Obligation: Required to obtain or retain a benefit.

Desk Officer: Mr. Peter Weiss.

Written comments and recommendations on the proposed information collection should be sent to Mr. Weiss at the Office of Management and Budget, Desk Officer for DOD, room 3235, New Executive Office Building, Washington, DC 20503.

DOD Clearance Officer: Mr. William P. Pearce.

Written requests for copies of the information collection proposal should be sent to Mr. Pearce, WHS/DIOR, 1215 Davis Highway, suite 1204, Arlington, Virginia 22202-4302.

Dated: March 9, 1992.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 92-5991 Filed 3-13-92; 8:45 am]

BILLING CODE 3810-01-M

Public Information Collection Requirement Submitted to OMB for Review

ACTION: Notice.

The Department of Defense has submitted to OMB for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

Title, Applicable Form, and Applicable OMB Control Number: Defense FAR Supplement, part 244, Subcontracting Policies and Procedures: OMB Control Number 0704-0253.

Type of Request: Extension.

Average Burden Hours/Minutes Per Response: 80 hours.

Responses Per Respondent: 1.

Number of Respondents: 375.

Annual Burden Hours: 30,000.

Annual Responses: 375.

Needs and Uses: This request concerns information collection requirements related to Contractor Procurement Systems Reviews.

Affected Public: Businesses or other for-profit, nonprofit institutions, and Small Businesses or Organizations.

Frequency: On Occasion.

Respondents Obligation: Required to obtain or retain a benefit.

Desk Officer: Mr. Peter Weiss.

Written comments and recommendations on the proposed information collection should be sent to Mr. Weiss at the Office of Management and Budget, Desk Officer for DOD, room 3235, New Executive Office Building, Washington, DC 20503.

DOD Clearance Officer: Mr. William P. Pearce.

Written requests for copies of the information collection proposal should be sent to Mr. Pearce, WHS/DIOR, 1215 Davis Highway, suite 1204, Arlington, Virginia 22202-4302.

Dated: March 9, 1992.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 92-5992 Filed 3-13-92; 8:45 am]

BILLING CODE 3810-01-M

Public Information Collection Requirement Submitted to OMB for Review

ACTION: Notice.

The Department of Defense has submitted to OMB for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

Title, Applicable Form, and Applicable OMB Control Number: Defense FAR Supplement, OMB Control Number 0704-0189.

Type of Request: Reinstatement.

Average Burden Hours/Minutes per Response: 24 hours.

Responses per Respondent: 3.

Number of Respondents: 20,000.

Annual Burden Hours: (Including Recordkeeping): 1,760,000.

Annual Responses: 60,000.

Needs and Uses: This information collection requirement concerns information supporting the administration of contracts (acquisition programs) resulting from solicitations issued prior to April 1, 1984, and are still in existence.

Affected Public: Businesses or other for-profit, non profit institutions, and Small Businesses or Organizations.

Frequency: On Occasion.

Respondents Obligation: Required to obtain or retain a benefit.

Desk Officer: Mr. Peter Weiss.

Written comments and recommendations on the proposed information collection should be sent to Mr. Weiss at the Office of Management and Budget, Desk Officer for DOD, room 3235, New Executive Office Building, Washington, DC 20503.

DOD Clearance Officer: Mr. William P. Pearce.

Written requests for copies of the information collection proposal should be sent to Mr. Pearce, WHS/DIOR, 1215 Davis Highway, suite 1204, Arlington, Virginia, 22202-4302.

Dated: March 9, 1992.

L. M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 92-5994 Filed 3-13-92; 8:45 am]

BILLING CODE 3810-01-M

Department of the Air Force

USAF Scientific Advisory Board; Meeting

The USAF Scientific Advisory Board's Committee on Technology Options for Global Reach—Global Power: 1995-2020 (Support Panel) will meet on 1 April 1992, at ANSER Corporation, 1215 Jefferson Davis HWY, Arlington, VA, and on 2-3 April 1992, at Naval Training System Center, Orlando FL. 8 a.m. to 5 p.m.

The purpose of this meeting is to receive briefings and gather information for the study.

The meeting will be closed to the public in accordance with section 552b(c) of title 5, United States Code,

specifically subparagraphs (1) and (4) thereof.

For further information, contact the Scientific Advisory Board Secretariat at (703) 697–4811.

Patsy J. Conner,

Air Force Federal Register Liaison Officer.

[FR Doc. 92–6000 Filed 3–13–92; 8:45 am]

BILLING CODE 3910–01–M

Department of The Army

Army Science Board; Closed Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), announcement is made of the following Committee Meeting:

Name of the Committee: Army Science Board (ASB).

Dates/Time of Meeting: 30–31 March 1992.

Time: 0830–1630 hours daily.

Place: Ft Leavenworth, KS.

Agenda: The Land Warfare Combat Identification 1992 Summer Study Panel of the Army Science Board will meet for discussions of actions underway as part of the Combat ID Task Force Action Plan. Briefings will also be presented addressing fratricide experience assessments. This meeting will be closed to the public in accordance with section 552b(c) of title 5, U.S.C., specifically subparagraph (1) thereof, and title 5, U.S.C. appendix 2, subsection 10(d). The classified and unclassified matters to be discussed are so inextricably intertwined so as to preclude opening any portion of the meeting. The ASB Administrative Officer, Sally Warner, may be contacted for further information at (703) 695–0781/0782.

Sally A. Warner,

Administrative Officer, Army Science Board.

[FR Doc. 92–5999 Filed 3–13–92; 8:45 am]

BILLING CODE 3710–8–M

Office of the Secretary

Contract Administration Working Group of the DOD Advisory Panel on Streamlining and Codifying Acquisition Laws

AGENCY: Defense Systems Management College, Office of the Secretary, DoD.

ACTION: Request for public comment.

SUMMARY: The Contract Administration Working Group of the DOD Advisory Panel is reviewing the following laws relating to contract audit and access to records:

5 U.S.C. Appendix 3, Inspector General Act of 1978 Pub. L. 95–452, as amended by PL 97–252 and PL 100–504), specifically section 8 and section 9(a)(1)(C) pertaining to DoD

10 U.S.C. 2276 Inspection and audit of plant and books of contractor (The Advisory Panel has tentatively decided to recommend repeal of this section because it duplicates other provisions of law.)

10 U.S.C. 2313 Examination of books and records of contractor

10 U.S.C. 2406 Availability of cost and pricing records

18 U.S.C. 1516 Obstruction of Federal audit

Request responses to the following questions on each law:

—Is the law serving its intended purpose?
—Has the law created inefficiencies?
—Has it unduly burdened the buyer/seller relationship?
—Is it required for the continuing financial and ethical integrity of defense procurement programs?
—Is it required to protect the best interests of DOD?
—Is the law still relevant?
—Does it overlap, duplicate, or conflict with other laws?
—Does it contain ambiguous terms or provisions which have led to problems in interpretation?
—Should the law apply to commerical products?
—Should it apply to first tier subcontracts, or all subcontracts?

The panel also solicits suggestions of other laws relating to audit and access to records that should be considered.

Individuals and organizations wishing to provide information to the Working Group may provide the information to Ms. Diane Sidebottom, Acquisition Law Task Force, at Defense Systems Management College, 8580 Cinderbed, suite 800, Newington, VA 22122 (703–355–2666).

Dated: March 9, 1992.

L.M. Bynum,

Alternate OSD Federal Register Liaison officer, Department of Defense.

[FR Doc. 92–5993 Filed 3–13–92; 8:45 am]

BILLING CODE 3810–01–M

Office of the Inspector General

Privacy Act of 1974; Addition of a Record System

AGENCY: Office of the Inspector General, DOD.

ACTION: Addition of Record System.

SUMMARY: The Office of the Inspector General is proposing to add a new exempt system of records to its inventory of record systems subject to the Privacy Act of 1974 (5 U.S.C 552a), as amended.

DATES: The proposed action will be effective on April 15, 1992, unless comments are received that would result in a contrary determination.

ADDRESSES: Send any comments to the Assistant Director, FOIA/PA Division, Assistant Inspector General for Investigations, 400 Army Navy Drive, Arlington, VA 22202–2884.

FOR FURTHER INFORMATION CONTACT: Ms. Nadine R. Dulacki at (703) 695–9568.

SUPPLEMENTARY INFORMATION: The Office of Inspector General record system notices for records systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, were published in the **FEDERAL REGISTER** as follows:

50 FR 22279 May 29, 1985 (DOD compilation, changes follow)
52 FR 26547 Jul 15, 1987
52 FR 35754 Sep 23, 1987
54 FR 24377 Jun 7, 1989
54 FR 33956 Aug 17, 1989
55 FR 18152 May 1, 1990
55 FR 48681 Nov 21, 1990
56 FR 40878 Aug 16, 1991
56 FR 46171 Sep 10, 1991
56 FR 52016 Oct 17, 1991

A new system report, as required by 5 U.S.C. 552a(r) of the Privacy Act of 1974, was submitted on March 3, 1992, to the Committee on Government Operations of the House of Representatives, the Committee on Governmental Affairs of the Senate, and the Office of Management and Budget (OMB) pursuant to paragraph 4b of Appendix I to OMB Circular No. A–130, "Federal Agency Responsibilities for Maintaining Records About Individuals," dated December 12, 1985 (50 FR 52738, December 24, 1985).

Dated: March 9, 1992.

L. M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

CIG–16

SYSTEM NAME:

DOD Hotline Program Case Files.

SYSTEM LOCATION:

DOD Hotline Directorate, Office of the Assistant Inspector General for Departmental Inquiries, Office of the Inspector General, Department of Defense, 400 Army Navy Drive, Room 1016, Arlington, VA 22202–2884.

CATEGORIES OF INDIVIDUALS COVERED IN THE SYSTEM:

Individuals filing hotline complaints; individuals alleged to have been involved in criminal or administrative

misconduct, including, but not limited to, fraud, waste, or mismanagement; or individuals identified as having been adversely affected by matters being investigated by the DOD Inspector General.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records resulting from the referral of, and inquiry into, hotline complaints, such as the date of the complaint; the hotline control number; the name of the complainant; the actual allegations; referral documents to DOD components requesting investigation into DOD Hotline complaints; referral documents from DOD components transmitting the DOD Hotline Completion Report, which normally contains the name of the examining official(s) assigned to the case; background information regarding the investigation itself, such as the scope of the investigation, relevant facts discovered, information received from witnesses, and specific source documents reviewed; the investigator's findings, conclusions, and recommendations; and the disposition of the case; and internal DOD Hotline forms documenting review and analysis of DOD Hotline Completion Reports received from DOD components.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Inspector General Act of 1978 (Pub. L. 95–452), as amended; DOD Directive 5106.1 (32 CFR part 373); DOD Directive 7050.1 (32 CFR part 98).

PURPOSE(S):

To record information related to official hotline investigations. To compile statistical information to disseminate to other components within the Department of Defense engaged in the Hotline Program. To provide prompt, responsive, and accurate information regarding the status of ongoing cases. To provide a record of complaint disposition. Hotline complaints appearing to involve criminal wrongdoing will be referred to the Defense Criminal Investigative Service or other criminal investigative units of DOD components.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM INCLUDING CATEGORIES OF USERS, AND PURPOSES OF SUCH USES:

The "Blanket Routine Uses" set forth at the beginning of the Office of the Inspector General compilation of record system notices apply to this system of records.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated and paper records pertaining to DOD Hotline investigations are stored in file folders and computerized data base.

RETRIEVABILITY:

By Hotline case number, by subject matter, by the names of complainant(s), by subject(s) of the complaint, and by individual(s) alleged to have been adversely affected by matters being investigated by the DOD Inspector General.

SAFEGUARDS:

Access is limited to DOD Hotline staff. Paper and automated records are stored in rooms protected by cipher lock. The automated system is password protected, and regular back-ups of data are performed.

RETENTION AND DISPOSAL:

Automated and paper records are retained within the DOD Hotline Program office for a period of five years following completion of final action. Thereafter, physical files are stored with the Federal Records Center, and automated data are archived within the DOD Hotline automated system for statistical purposes. Physical files and automated data are destroyed 15 years after the physical files are retired to the Federal Records Center.

NOTIFICATION PROCEDURES:

Individuals seeking to determine whether this system of records contains information about themselves should address written inquiries, either notarized or containing an unsworn declaration, to the Assistant Director, FOIA/PA Division, Office of the Assistant Inspector General for Investigations, 400 Army Navy Drive, Arlington, VA 22202–2884.

The request should contain the individual's full name, address, and Social Security Number. Requests submitted on behalf of other persons must include their written, notarized authorization. Provision of the Social Security Number is voluntary and it will be used solely for identification purposes. Failure to provide the Social Security Number will not affect the individual's rights.

RECORD ACCESS PROCEDURES:

Individuals seeking access to records about themselves contained in this system should address written inquiries to the Assistant Director, FOIA/PA Division, Office of the Assistant Inspector General for Investigations, 400 Army Navy Drive, Arlington, VA 22202–2884.

The request should contain the individual's full name, address, and Social Security Number. Requests submitted on behalf of other persons must include their written, notarized authorization. Provision of the Social Security Number is voluntary and it will be used solely for identification purposes. Failure to provide the Social Security Number will not affect the individual's rights.

CONTESTING RECORD PROCEDURES:

The rules for access to records and for contesting and appealing initial determinations by the individual concerned are published at 32 CFR part 312 or may be obtained from the system manager.

RECORD SOURCE CATEGORIES:

Sources, subjects, witnesses, all levels of Government, private businesses, and nonprofit organizations.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

Portions of this record system may be exempt pursuant to 5 U.S.C. 552a(k)(2) and (k)(5) as applicable.

An exemption rule for this record system has been promulgated in accordance with the requirements of 5 U.S.C. 553(b)(1), (2), and (3), (c) and (e) and published in 32 CFR part 312. For additional information contact the system manager.

[FR Doc. 92–5804 Filed 3–13–92; 8:45 am]
BILLING CODE 3810–01–F

DEPARTMENT OF ENERGY

Bonneville Power Administration

Extending the Scoping Period for the Joint Whatcom County/Bonneville Power Administration Environmental Impact Statement for the Joint BPA/Puget Sound Power & Light Northwest Washington Transmission Project

AGENCY: Bonneville Power Administration (BPA), DOE.

ACTION: Notice to extend the scoping period for BPA/Puget Sound Power & Light (Puget Power) Northwest Washington Transmission Project.

SUMMARY: To meet BPA reliability criteria, to maintain reliable service to the Northwest (NW) Washington area, and to improve transfer capability on the existing Canada-United States Intertie, BPA and Puget Power are proposing a joint project to upgrade transmission service in the area.

Whatcom County and BPA have agreed to undertake preparation of a joint environmental impact statement (EIS) on the project. They hereby extend the scoping period close of comment date to March 31, 1992.

DATES: BPA and Whatcom County will continue to solicit comments from affected landowners, special interests, local governmental and civic organizations, and concerned citizens during the extended scoping period with the aim of identifying environmental resources and issues to be addressed in the EIS. Written comments should be submitted by March 31, 1992, to the Public Involvement Manager, at the address below. Comments and suggestions received after the closing date will be considered to the extent practicable. The DEIS is scheduled to be circulated for public review and comment in the spring of 1993. Public meetings will be held after the release of the DEIS.

ADDRESSES: To have your name placed on the mailing list for this project, submit comment letters, or receive a copy of the DEIS, write to the Public Involvement Manager, Bonneville Power Administration—ALP, P.O. Box 12999, Portland, Oregon 97212.

FOR FURTHER INFORMATION CONTACT: John Taves, Environmental Coordinator for Engineering—EFBG, Bonneville Power Administration, P.O. Box 3621, Portland, OR 97208–3621, 503–230–4995, or Jerry Mixon, Deputy SEPA Official Whatcom County, 284–D Kellogg Road, Bellingham, WA 98266, 206–676–6907, or you may write the Assistant Area Manager for Engineering, Puget Sound Area, Bonneville Power Administration, 210 Queen Anne Avenue North, suite 400, Seattle, Washington 98109–1030, or telephone (206) 553–0951.

Additional information is available from BPA's Public Involvement office at (503) 230–3478 in Portland; 800–622–4519 for Oregon outside Portland nationwide.

SUPPLEMENTARY INFORMATION: The Notice of Intent to prepare an EIS was published in the **Federal Register** November 15, 1991 (56 FR 58083). That Notice stated that the time for scoping meeting(s) and the end of scoping period would be defined by separate notices. BPA and Whatcom County held scoping meetings on February 5 (Sedro Wolley) and February 6 (Bellingham) as part of the environmental process. The end of the scoping period was defined as February 29, 1992. A letter to interested parties was prepared, notices were sent to local news media, and the meetings were held as scheduled.

At the Bellingham meeting citizens requested additional time to consider the proposal and to contribute to the scoping process. Accordingly, the scoping period will now close on March 31, 1992. All comments and ideas submitted during the extended period will be considered in defining the scope of the EIS.

Issued in Portland, OR, on March 5, 1992.

Jack Robertson,

Acting Administrator, Bonneville Power Administration.

[FR Doc. 92–6081 Filed 3–11–92; 4:31 pm]

BILLING CODE 6450–01–M

Federal Energy Regulatory Commission

[Docket Nos. ER92–294–000, et al.]

Electric Rate, Small Power Production, and Interlocking Directorate Filing; The Montana Power Company, et. al.

March 6, 1992.

Take notice that the following filings have been made with the Commission:

1. The Montana Power Co.

[Docket No. ER92–294–000]

Take notice that on March 2, 1992, The Montana Power Company (Montana) tendered for filing with the Federal Energy Regulatory Commission an Amendment 1 to its original filing of a revised Index of Purchasers under FERC Electric Tariff, 2nd Revised Volume No. 1 (M–1 Tariff). This Amendment 1 provides additional information requested by Commission staff.

A copy of the filing was served upon Turlock Irrigation District, Western Area Power Administration (Loveland, Western Area Power Administration (Salt Lake City—for Montrose), and Deseret Generation & Transmission Co-operative.

Comment date: March 20, 1992, in accordance with Standard Paragraph E at the end of this notice.

2. The Cincinnati Gas & Electric Company

[Docket No. ER92–174–000]

Take notice that on February 21, 1992, The Cincinnati Gas & Electric Company (CG&E) tendered for filing with the Commission supplemental information concerning the contracts submitted in this docket.

Copies of this filing were served upon Cleveland Public Power, The City of Piqua, Ohio, The Dayton Power & Light Company, American Electric Power Service Corporation and the Ohio Public Utilities Commission.

Comment date: March 18, 1992, in accordance with Standard Paragraph E at the end of this notice.

3. Central Louisiana Electric Company, Inc.

[Docket No. ES92–32–000]

Take notice that on March 3, 1992, Central Louisiana Electric Company, Inc. filed an application with the Federal Energy Regulatory Commission under § 204 of the Federal Power Act requesting authorization for a two-for-one split of its common stock.

Comment date: April 2, 1992, in accordance with Standard Paragraph E at the end of this notice.

4. Kimmon Quartz, Ltd.

[Docket No. QF92–68–000]

On March 4, 1992, Kimmon Quartz, Ltd. tendered for filing an admendment to its filing in this docket. No determination has been made that the submittal constitutes a complete filing.

The amendment provides additional information pertaining to technical data and the ownership structure of the cogeneration facility.

Comment date: March 27, 1992, in accordance with Standard Paragraph E at the end of this notice.

5. Public Service Company of New Hampshire

[Docket No. ER92–338–000]

Take notice that Public Service Company of New Hampshire, (PSNH) on March 2, 1992, tendered for filing as an initial rate scheduled an agreement between it and Central Vermont Public Service Corporation (Central Vermont) a Letter Agreement, dated as of January 30, 1992, for the sale of Seabrook Unit 1 capacity and related energy.

PSNH asks the Commission to waive its customary notice period and allow the agreement to become effective February 1, 1992. The agreement has been executed by PSNH and Central Vermont ad copies have been delivered to the customer and the public service commissions in New Hampshire and Vermont.

Comment date: March 23, 1992, in accordance with Standard Paragraph E at the end of this notice.

6. Central Vermont Public Service Corporation

[Docket No. ER91–113–000]

Take notice that Central Vermont Public Service Corporation (CVPS) on March 2, 1992 tendered for filing supplemental financial information in the above-referenced docket.

CVPS requests the Commission to waive its notice of filing requirements to permit the rate schedule to become effective according to its terms.

Comment date: March 23, 1992, in accordance with Standard Paragraph E at the end of this notice.

7. Consumers Power Company

[Docket No. ER92-332-000]

Take notice that on Febraury 27, 1992, Consumers Power Company (Consumers) tendered for filing a rate schedule change consisting of an unexecuted Coordinated Operating Agreement between Consumers and the Michigan Public Power Agency (MPPA) Wolverine Power Supply Cooperative, Inc. (Wolverine). The Agreement provides for various services, including: emergency service, short-term capacity and energy, interchange power, coordinated transmission service and kilovar supply. Consumers also tendered for filing Amendments No. 1 to its Service Agreement for Wholesale for Resale Electric Service with the Cities of Charlevoix, Harbor Springs, Lowell and Petoskey. Copies of the filing were served upon MPPA, Wolverine, the Michigan Public Service Commission and the Michigan cities of Charlevoix, Harbor Springs, Lowell and Petoskey.

Comment date: March 20, 1992, in accordance with Standard Paragraph E end of this notice.

8. Public Service Company of New Hampshire

[Docket No. ER92-329-000]

Take notice that on February 24, 1992, Public Service Company of New Hampshire (PSNH) tendered for filing a Notice of Cancellation of Rate Schedule FERC No. 137, a unit power agreement with Central Vermont Public Service Corporation.

PSNH proposes an effective date of February 29, 1992.

Comment date: March 20, 1992, in accordance with Standard Paragraph E at the end of this notice.

9. PacifiCorp Electric Operations

[Docket No. ER92-271-000]

Take notice that PacifiCorp Electric Operations (PacifiCorp), on March 2, 1992, tendered for filing in accordance with 18 CFR 35.13 of the Commission's Rules and Regulations, an amendment to its filing under the above referenced docket.

Copies of this filing were supplied to Public Service Company of Colorado, Tri-State Generation and Transmission Association, the Public Utilities Commission of the State of Colorado, the Public Utility Commission of Oregon, the Utah Public Service Commission, Public Utilities Commission of the State of California, the Washington Utilities and Transportation Commission, the Montana Public Service Commission, the Public Service Commission of Wyoming and the Idaho Public Utilities Commission.

Comment date: March 23, 1992, in accordance with Standard Paragraph E end of this notice.

10. Southwestern Electric Power Company

[Docket No. ER92-340-000]

Take notice that on February 28, 1992, Southwestern Electric Company (SWEPCO) tendered for filing the final return on common equity (Final ROE) to be used in redetermining or "truing-up" cost-of-service formula rates for wholesale service in 1991 to Northeast Texas Electric Cooperative, Inc., the City of Bentonville, Arkansas, the City of Hope, Arkansas, the Oklahoma Municipal Power Authority, Rayburn Country Electric Cooperative, Inc., Cajun Electric Power Cooperative, Inc. and TEX-LA Electric Cooperative of Texas, Inc. SWEPCO provides service to these customers under contracts which provide for periodic changes in rates and charges determined in accordance with cost-of-service formulas, including a formulaic determination of the return on common equity.

Copies of the filing were served upon the affected wholesale customers, the Public Utility Commission of Texas, the Oklahoma Corporation Commission, the Louisiana Public Service Commission and the Arkansas Public Service Commission.

Comment date: March 20, 1992, in accordance with Standard Paragraph E at the end of this notice.

11. Public Service Company of New Hampshire

[Docket No. ER92-345-000]

Take notice that on March 2, 1992, Public Service Company of New Hampshire (PSNH) filed an Amendment to its Service Agreement No. 11 under FERC Electric Tariff, First Revised Volume No. 1 for non-firm transmission service to New England Power Company (NEP). PSNH states that the purpose of the Amendment is to establish NEP as an Eligible Entry under the Settlement Agreement in Docket Nos. ER89-207-004 and EL91-45-000, which the Commission approved on March 2, 1992. The Amendment is proposed to become effective on January 2, 1992, which is the effective date of the settlement rate under the Settlement Agreement.

Comment date: March 20, 1992, in accordance with Standard Paragraph E at the end of this notice.

12. Carolina Power & Light Company

[Docket No. ER92-342-000]

Take notice that Carolina Power & Light Company (Company) on March 2, 1992, tendered for filing the "General Terms and Conditions Applicable to North Carolina Eastern Municipal Power Agency's Use of the Santee Cooper New Resource" (Santee Cooper Terms and Conditions), and the "General Terms and Conditions Applicable to North Carolina Eastern Municipal Power Agency's Use of the Peaking Project New Resource" (Peaking Project Terms and Conditions). This filing supplements the Power Coordination Agreement dated July 30, 1981 (1981) (PCA) between the Company and the North Carolina Eastern Municipal Power Agency (Power Agency) designated Rate Schedule FERC No. 121.

The Santee Cooper Terms and Conditions set forth provisions related to Power Agency's use of certain firm power purchased from the South Carolina Public Service Authority (Santee Cooper) as a New Resource, as defined in, § 6.1(C)(1) of the 1981 PCA. The firm power purchases are provided by the Interutility Exchange Contract between Santee Cooper and Power Agency and Schedule D to the contract, both of which were executed on May 17, 1990. Under the Santee Cooper Terms and Conditions, the Company has agreed to dispatch the power from the Santee Cooper New Resource. Power agency has sole responsibility for arranging for the delivery of power from the Santee Cooper New Resource to the Company at the Company's interconnections with Santee Cooper. The effective date of the Santee Cooper Terms and conditions is May 4, 1992, and the termination date is December 31, 1991.

The Peaking Project Terms and Conditions set forth the provisions for the Power Agency's use of an unspecified number of peaking units that Power Agency has commited to construct and operate as a New Resource, as defined in Section 6.1(C)(1) of the 1981 PCA. The Company is informed and believes that the peaking units will be located at two sites (one near Rocky Mount, North Carolina and one near Battleboro, North Carolina), and the aggregate Maximum Net Dependable capacity of the peaking units will be between 142 megawatts and 190 megawatts. The Company has agreed to dispatch these peaking units. Power Agency has sole responsibility for all other aspects of these peaking units, including interconnection of the peaking units to electric systems,

providing for timely, accurate and reliable metering and operating and maintaining the peaking units. The effective date of the Peaking Project Terms and Conditions is May 4, 1992, and the termination date is December 31, 2015.

Copies of the filing were served upon Power Agency, the North Carolina Utilities Commission and the South Carolina Public Service Commission.

Comment date: March 20, 1992, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraphs

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 92-6006 Filed 3-13-92; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. CP92-383-000, et al.]

Northwest Pipeline Corporation, et al.; Natural Gas Certificate Filings

Take notice that the following filings have been made with the Commission:

1. Northwest Pipeline Corporation

[Docket No. CP92-383-000]

March 6, 1992.

Take notice that on March 2, 1992, Northwest Pipeline Corporation (Northwest), 295 Chipeta Way, Salt Lake City, Utah, 84158, filed in Docket No. CP92-383-000, an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon its deferred exchange service with Westcoast Energy Inc. (Westcoast), the successor-in-interest to Westcoast Transmission Company Limited; all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Northwest states that it and Westcoast entered into a Deferred Exchange Agreement (Agreement) dated February 14, 1983, as amended February 16, 1984, in order to facilitate access by BC Gas Inc. (BC Gas) to the Jackson Prairie Storage Field in Washington. The Agreement currently is set forth in Northwest's FERC Gas Tariff, Original Volume No. 2, as Rate Schedule X-83, it is stated.

Northwest states that it has not engaged in deferred exchanges under the Agreement since late 1988 and that BC Gas has implemented alternative arrangements to import and export its storage gas. Accordingly, by a letter agreement dated March 1, 1991, Northwest and Westcoast mutually agreed to terminate the Agreement effective March 1, 1991.

Northwest further states that it does not proposes to abandon any facilities in conjunction with this proposed service abandonment.

Comment date: March 27, 1992, in accordance with Standard Paragraph F at the end of this notice.

2. Texas Eastern Transmission Corporation

[Docket No. CP92-390-000]

March 6, 1992.

Take notice that on March 4, 1992, Texas Eastern Transmission Corporation (Texas Eastern), 5400 Westheimer Court, P.O. Box 1642, Houston, Texas 77251-1642, filed in Docket No. CP92-390-000 a request pursuant to §§ 157.205 and 157.212 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205, 157.212) for authorization to add two additional, existing delivery points to service agreements with Consolidated Edison Company of New York (Con Ed) under Texas Eastern's blanket certificate issued in Docket No. CP82-535-000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

Texas Eastern proposes to add two additional, existing delivery points to service agreements with Con Ed under Rate Schedules FT-1, CD-1, SS-1, SS-2 and FTS of Texas Eastern's FERC Gas Tariff, Fifth Revised Volume No. 1. Texas Eastern states that the delivery points to be added are (1) Transco-Linden Point, which is located in Union County, New Jersey and is designated as Texas Eastern's Meter Station 0244, and (2) Transco-Belle Meade Point, which is located in Somerset County, New Jersey, and designated as Texas Eastern's Meter Station 0919. It is indicated that gas would be delivered at the proposed delivery points to Transcontinental Gas Pipe Corporation (Transco) on a best-efforts basis and subject to Transco's agreement to receive the gas for the account of Con Ed.

Texas Eastern states that the additional sales, transportation and storage service made possible by the addition of the new delivery points would have no effect on Texas Eastern's peak day or annual deliveries. Texas Eastern explains that to the extent deliveries are made at the two delivery points, deliveries may be reduced at the other points of delivery to Con Ed on a day-to-day operational basis. Texas Eastern concludes that deliveries of volumes of gas as proposed would not result in any change in the total contract quantities deliverable under the individual service agreements providing for service to Con Ed pursuant to Texas Eastern's Rate Schedule FT-1, CD-1, SS-1, SS-2 and FTS.

Comment date: April 20, 1992, in accordance with Standard Paragraph G at the end of this notice.

3. ANR Pipeline Company

[Docket No. CP92-385-000]

March 6, 1992.

Take notice that on February 25, 1992, ANR Pipeline Company (ANR), 500 Renaissance Center, Detroit, Michigan 48243, filed in Docket No. CP92-385-000 a request pursuant to §§ 157.205 and 157.208 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205 and 157.208) for authorization to operate as jurisdictional facilities under section 7 of the Natural Gas Act, certain transmission facilities which have been constructed or modified pursuant to section 311 of the Natural Gas Policy Act under the blanket certificate issued in Docket No. CP82-480-000, all as more fully detailed in the request which is on file with the Commission and open to public inspection.

Specifically, ANR proposes to operate as a jurisdictional facility and to provide jurisdictional services through, including transportation services under subpart G of part 284 of the Commission's Regulations, its one-half interest in approximately 31 miles of 30-inch pipeline extending from an interconnection with ANR's Line FT-18 in Ouachita Parish, Louisiana, to and including an interconnection with the facilities of ANR in Richland Parish, Louisiana [1] as well as an

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[1] The remaining one-half interest in the pipeline is owned by Arkla Energy Resources, a division of Arkla, Inc. (Arkla). Arkla has contemporaneously filed a prior notice application under §§ 157.205 and 157.208 in Docket No. CP92-366-000 to operate its interest as a jurisdictional facility

interconnection between ANR's and Arkla's facilities in Custer County, Oklahoma (the Custer Interconnect) which is used to deliver gas from ANR's Southwest Leg to Arkla's Line AD. It is stated that the pipeline, known as Line FM–56, was initially constructed and completed in June 1987 solely to provide services authorized under section 311 of the Natural Gas Policy Act and subpart B of the Commission's Regulations. ANR further states that the Custer Interconnect was constructed and certificated in Docket No. CP76–25 to enable ANR to receive gas from Arkla. ANR indicates that certain of the Custer facilities were subsequently modified and operated pursuant to NGPA section 311 to enable ANR to deliver gas to Arkla at the interconnect.

ANR explains that it originally sought section 7(c) certificate authority for Line FM–56 and the Custer Interconnect in an application filed on September 28, 1989, in Docket No. CP89–2195–000 and the Arkla filed a companion application for its one-half interest in Line FM–56 in Docket No. CP89–2174–000. ANR further explains that although the Commission issued an order in Docket No. CP89–2174–000 on January 17, 1991, the order deferred consideration of Line FM–56 and the Custer Interconnect, thereby limiting service through those facilities to subpart B transactions. ANR states that since Line FM–56 and the Custer Interconnect now fall within the cost thresholds prescribed by § 157.208(d), it has elected to file for prior notice authorization. ANR indicates that upon approval of the authorization requested in this docket, it will file with the Commission to withdraw Line FM–56 and the Custer Interconnect from the authorizations sought in Docket No. CP89–2174–000.

It is explained that the depreciated original cost of the Line FM–56 and Custer Interconnect facilities are $7,300,386 and $397,015, respectively.

Comment date: April 20, 1992, in accordance with Standard Paragraph G at the end of this notice.

4. Arkla Energy Resources, a Division of Arkla, Inc

[Docket No. CP92–366–000]

March 6, 1992.

Take notice that on February 25, 1992, Arkla Energy Resources, a division of Arkla, Inc. (Arkla), P.O. Box 21734, Shreveport, Louisiana 71151, filed in Docket No. CP92–366–000 a request pursuant to §§ 157.205 and 157.208 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205 and 157.208) for authorization to operate as a jurisdictional facility and existing pipeline in Louisiana in which it holds a one-half ownership interest, under the blanket certificate issued in Docket Nos. CP82–384–000 and CP82–384–001, pursuant to section 7 of the Natural Gas Act, all as more fully detailed in the request which is on file with the Commission and open to public inspection.

Specifically, Arkla proposes to operate as a jurisdictiona facility and to provide jurisdictional services through, including transportation services under subpart G of part 284 of the Commission's Regulations, its one-half interst in approximately 31 miles of 30-inch pipeline extending from an interconnection with Arkla's Line FT–18 in Ouachita Parish, Louisiana, to and including an interconnection with the facilities of ANR Pipeline Company (ANR) in Richland Parish, Louisiana.[2] It is stated that the pipeline, known as Line FM–56, was initially constructed and completed in June 1987 solely to provide services authorized under section 311 of the Natural Gas Policy Act and subpart B of the Commission's Regulations.

Arkla explains that it originally sought section 7(c) certificate authority for Line FM–56 (and certain other minor facilities in the vicinity) in an application filed on September 27, 1989, in Docket No. CP89–2174–000. Arkla further explains that although the Commission issued an order in that docket on January 17, 1991, the order deferred consideration of Line FM–56 and certain other facilities, thereby limiting service through those facilities to subpart B transactions. Arkla states that since Line FM–56 now falls within the cost threshold prescribed by § 157.208(d), it has elected to file for prior notice authorization.[3] Arkla indicates that upon approval of the authorization requested in this docket, it will file with the Commission to withdraw Line FM–56 from the authorizations sought in Docket No. CP89–2174–000.

It is explained that the depreciated original cost of the Line FM–56 facilities is $7,278,742.

Comment date: April 20, 1992, in Accordance with Standard Paragraph G at the end of this notice.

5. Natural Gas Pipeline Company of America

[Docket No. CP92–386–000]

March 6, 1992.

Take notice that on March 3, 1992, Natural Gas Pipeline Company of America (Natural), 701 East 22nd Street, Lombard, Illinois 60148, filed in Docket No. CP92–386–000 a request pursuant to §§ 157.205 and 157.212 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205, 157.212) for authorization to construct and operate a new delivery point for the purpose of providing jurisdictional services involving the deliver of natural gas to Entex, a Division of Arkla, Inc. (Entex), a local distribution company, under Natural's blanket certificate issued in Docket No. CP82–402–000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the requests that is on file with the Commission and open to public inspection.

Natural proposes to install a two-inch tap on its 30-inch Gulf Coast mainline in Montgomery County, Texas, and estimates that the total cost of the facilities would be $18,000. Natural states that the facilities would be constructed to be able to deliver up to 3,000 Mcf per day of natural gas to Entex. Natural also states that initially gas would be transported and delivered pursuant to transportation contracts subject to subpart G of part 284 of the Commission's regulations and covered by its blanket transportation certificate issued in Docket No. CP86–582–000.

Natural further states that Entex would use the gas as part of its system supply.

Comment date: April 20, 1992, in accordance with Standard Paragraph G at the end of this notice.

6. Northern Natural Gas Company

[Docket No. CP92–373–000]

March 6, 1992.

Take notice that on February 27, 1992, Northern Natural Gas Company (Northern), 1111 South 103rd Street, Omaha, Nebraska 68124–1000 filed in Docket No. CP92–373–000, a request pursuant to § 157.205 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205) for authorization to operate and maintain ten existing delivery points and appurtenant facilities for jurisdictional service under Northern's CD–1 Service Agreement and to add one existing

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[2] The remaining one-half interest in the pipeline is owned by ANR. ANR has contemporaneously filed a prior notice application under §§ 157.205 and 157.208 in Docket No. CP92–385–000 to operate its interest as a jurisdictional facility.

[3] The other minor facilities for which Arkla sought certificate authority in Docket No. CP89–2174–000, with the exception of Line FM–57, have since been certificated under Arkla's blanket certificate pursuant to the automatic authorization in § 157.208(a). Arkla states that these facilities will be reported in Arkla's 1991 Annual Report filed pursuant to § 157.207 of the Regulations. Arkla further states that Line FM–57 will be authorized for subpart G transportation services pursuant to § 157.208(a) upon certification of Line FM–56.

jurisdictional delivery point to Northern's CD-1 Service Agreement with Peoples Natural Gas Company, Division of Utilicorp United Inc. (Peoples) under Northern's blanket certificate issued in Docket No. CP82-401-000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

Northern states that the existing delivery points were constructed and operated pursuant to section 311 of the Natural Gas Policy Act. Northern further states that on July 10, 1991, in Docket No. CP91-2085-000, Northern was authorized to operate and maintain the Enron Gas Liquids/Plattsmouth delivery point for jurisdictional service. No increase in capacity at these stations is required.

Northern asserts that the volumes to be delivered to Peoples at the various delivery points would be within the currently authorized level of firm entitlements for Peoples as set forth in Northern's currently effective CD-1 Service Agreement.

The facilities are located in Iowa, Minnesota and Iowa, it is stated.

Northern asserts that the proposed activity is not prohibited by its existing tariff and that it has sufficient capacity to accommodate the proposed changes without detriment to Northern's other customers.

Comment date: April 20, 1992, in accordance with Standard Paragraph G at the end of this notice.

7. Tennessee Gas Pipeline Company

[Docket No. CP92-369-000]

March 9, 1992.

Take notice that on February 26, 1991, Tennessee Gas Pipeline Company (Tennessee), P.O. Box 2511, Houston, Texas 77252, filed in Docket No. CP92-369-000 an application pursuant to section 7(b) of the Natural Gas Act for an order granting permission and approval for the abandonment of the transportation service provided to Natural Gas Pipeline Company of American (NGPL) to be effective February 1, 1992, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Tennessee states that it is authorized to provide a firm transportation of up to 21,000 Mcf of natural gas to NGPL under Tennessee's Rates Schedule T-175. Tennessee also states that NGPL no longer uses or needs the transportation service provided under Rate Schedule T-175, and has requested the abandonment with an effective date of February 1, 1992. It is also stated the the abandonment would allow Tennessee to cancel its rate schedule and allow Tennessee's FERC tariff to accurately relect the services actually performed by Tennessee. Tennessee also states that no facilities are proposed to be abandoned.

Comment date: March 30, 1992, in accordance with Standard Paragraph F at the end of this notice.

8. Natural Gas Pipeline Company of America

[Docket No. CP92-367-000]

March 9, 1992.

Take notice that on February 26, 1992, Natural Gas Pipeline Company of America (Natural), 701 East 22nd Street, Lombard, Illinois 60148, filed in Docket No. CP92-367-000 and application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon a total maximum daily withdrawal quantity (DWQ) of 10,945 Mcf of firm storage services, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Natural states that through a survey of its Rate Schedule MS-2 storage customers, sixteen of its twenty-six customers no longer require the storage service. Therefore, Natural requests authority in the instant application to abandon a total of 10,945 Mcf of firm storage services authorized in Docket Nos. CP70-119, CP72-33 and CP72-43 for the sixteen storage customers under its MS-2 rate schedule. Natural also requests that the abandonment of its Rate Schedule MS-2 storage services be made effective on February 28, 1990 and March 1, 1992, dates which correspond with ther termination of Applicant's Rate Schedule MS-2 service agreements with these customers.

Comment date: March 30, 1992, in accordance with Standard Paragraph F at the end of this notice.

9. Eastern Shore Natural Gas Company

[Docket No. CP89-1024-002]

March 9, 1992.

Take notice that on February 28, 1992, Eastern Shore Natural Gas Company (Eastern Shore), P.O. Box 615, Dover, Delaware 19903-0615, Filed in Docket No. CP89-1024-002 a petition to amend the order issued May 4, 1990, in Docket Nos. CP89-1024-000 and CP89-1024-001 pursuant to section 7(c) of the Natural Gas Act so as to eliminate the variances in its customers' original requests for service as authorized in Docket Nos. CP89-1024-000 and CP89-1024-001 and those levels the customers actually contracted for with Easter Shore, to provide six existing customers with additional contract demand, CWS and CFSS storage service to enable them to meet their firm requirements through the 1993-1994 winter season, and to allow four existing customers to abandon previously certificated contract demand and T-1 transportation service, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By order issued May 4, 1990, Eastern Shore states that it was authorized to increase firm contract demand and firm storage service to several existing customers, provide a new 30-day firm storage service, provide firm storage service to Elkton Gas Service and construct and operate pipeline and compressor facilities required to provide the additional firm sales and storage service. In addition, it is stated that the May 4, 1990, order also authorized Eastern Shore to abandon firm storage service to Formosa Plastics Corporation.

Eastern Shore states that during the period subsequent to its amended application filed in Docket No. CP89-1024-001 and prior to initiating construction of the facilities authorized in the May 4, 1990 order, it became evident that a number of Eastern Shore's customers, for a variety of reasons, did not need service at the levels the customers had originally request from Eastern Shore. Therefore, Eastern Shore requests authorization to amend the order issued May 4, 1990, in Docket Nos. CP89-1024-000 and CP89-1024-001 in the following manner:

(1) Increase/(abandon) firm sales service (Mcf/day) to

Delaware Division	2,752
Citizens Division	674
Delmarva Power and Light	465
Cambridge Division	235
Akzo Chemie America	(2,800)
General Foods	(1,000)
James Thompson	(50)
Easton Utilities	(49)
Pet, Inc.	(45)
Reichhold	(6)

for a net increase of 176 Mcfd over the present level of certificated firm sales demand;

(2) Increase/(abandon) CWS storage service (Mcf/day) to

Easton Utilities	641
American Mirrex	169
Delaware Division	(349)
Cambridge Division	(306)
Citizens Division	(155)

for a net change of 0 Mcfd from present overall CWS certificated levels;

(3) Increase/(abandon) CFSS storage service (Mcf/day) to

Easton Utilities	192
Delaware Division	108
Cambridge Division	3
Citizens Division	(110)

for a net increase of 193 Mcfd over the current authorized level

In addition, Eastern Shore requests authorization to provide General Foods with up to 10,000 Mcfd of interruptible sales service and permission and approval to abandon 1,599 Mcfd of T-1 transportation service authorized for Delmarva Power and Light.

Eastern Shore requests that the above changes in authorized service become effective November 1, 1992.

Comment date: March 30, 1992, in accordance with the first subparagraph of Standard Paragraph F at the end of this notice.

10. Southern Natural Gas Company

[Docket No. CP92-370-000]

March 9, 1992.

Take notice that on February 26, 1992, Southern Natural Gas Company (Southern), Post Office Box 2563, Birmingham, Alabama 35202-2563, filed in Docket No. CP92-370-000 an application under section 7(b) of the Natural Gas Act wherein it requests permission and approval to abandon an interruptible transportation service provided for Transcontinental Gas Pipe Line Corporation (Transco), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Southern states that by Commission order issued March 22, 1979, in Docket No. CP78-241 (6 FERC ¶61,258) it was authorized to transport on a best efforts basis up to 12,000 Mcf of natural gas per day for the account Transco and Transco as agent for others pursuant to a transportation Agreement (Agreement) dated March 10, 1978, which is designated as Rate Schedule X-41 in Southern's FERC Gas Tariff, Original Volume No. 2. Southern further states that in accordance with this Agreement gas was received by Southern from the Bolivar Point Area, Plaquemines Parish, Louisiana and redelivered to Transco at the interconnection of Southern's and Transco's pipelines near Jonesboro, Georgia.

Southern states that Transco has notified Southern that production dedicated to Transco in the Bolivar Point Area ceased in 1987 and therefore has requested that the transportation service be terminated effective June 1, 1992.

Southern further states that no abandonment of facilities by Southern is proposed in conjunction with the abandonment of this transportation service for Transco, and upon receipt of a Commission's order authorizing this abandonment, Southern will file revised tariff sheets to cancel its Rate Schedule X-41.

Comment date: March 30, 1992, in accordance with Standard Paragraph F at the end of this notice.

11. Columbia Gas Transmission

[Docket No. CP92-384-000]

March 9, 1992.

Take notice that on March 2, 1992, Columbia Gas Transmission Corporation (Columbia), 1700 MacCorkle Avenue, SE., Charleston, West Virginia 25314, filed in Docket No. CP92-384-000 an application pursuant to sections 7(b) and 7(c) of the Natural Gas Act for permission and approval to abandon facilities, and for a certificate of public convenience and necessity authorizing the construction and operation of natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Columbia proposes two separate mainline construction projects. Columbia proposes for the first project that approximately 1.6 miles of deteriorating 18-inch diameter pipeline in two segments in Madison County, Ohio be replaced with a like amount of 20-inch diameter pipeline. Columbia estimates the cost of this construction to be $605,000.

Columbia proposes the following for the second project:

(a) Increase the Maximum Allowable Operating Pressure (MAOP) of its Z-50 pipeline system from Howell Station in Green County, Ohio to the Rome-Hilliard point of delivery in Franklin County, Ohio;

(b) Construct and operate approximately 1.2 miles of 4- and 20-inch diameter pipeline to replace a like amount of 2-, 3- and 18-inch diameter pipeline in Clark, Madison and Franklin Counties, Ohio;

(c) Construct and operate approximately 0.4 mile of 4-inch diameter pipeline in Clark County, Ohio; and

(d) Construct two additional points of delivery to Columbia Gas of Ohio, Inc. (COH) for mainline tap customers, and abandon four existing points of delivery for mainline tap customers in Madison and Franklin Counties, Ohio.

Columbia states that the second project provides for an increase in deliveries at the Rome-Hilliard point of delivery to one of Columbia's existing wholesale customers, COH. Columbia indicates further that such additional deliveries will be within COH's currently certificated entitlements from Columbia. Columbia indicates the estimated cost of the second project to be $2,085,300, and that COH will provide a contribution in aid of construction of this project.

Columbia indicates that it does not request authorization for any new or additional service in either the first or second proposed project.

Comment date: March 30, 1992, in accordance with Standard Paragraph F at the end of the notice.

Standard Paragraphs

F. Any person desiring to be heard or make any protest with reference to said filing should on or before the comment date file with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and procedure, a hearing will be held without further notice before the Commission or its designee on this filing if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for the applicant to appear or be represented at the hearing.

G. Any person or the Commission's staff may, within 45 days after the issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to

§§ 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefore, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the Natural Gas Act.

Lois D. Cashell,

Secretary.

[FR Doc. 92-6008 Filed 3-13-92; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. TQ92-2-1-001]

Alabama-Tennessee Natural Gas Co.; Proposed PGA Rate Adjustment

March 10, 1992.

Take notice that on March 5, 1992, Alabama-Tennessee Natural Gas Company ("Alabama-Tennessee"), Post Office Box 918, Florence, Alabama 35631, tendered for filing as part of its FERC Gas Tariff, First Revised Volume No. 1, the following tariff sheet:

Sub. Twenty-Ninth Revised Sheet No. 4

This tariff sheet is proposed to become effective April 1, 1992. Alabama-Tennessee states that the purpose of this filing is to substitute corrected information to its quarterly PGA filing which it originally tendered on February 28, 1992 in this docket.

Alabama-Tennessee has also requested a limited waiver on a continuing basis of § 154.22 of the Commission's Regulations with regard to the filing of its quarterly PGA. Alabama-Tennessee proposes that it be permitted to file revisions to its quarterly PGA filing three days after the filing on the revised quarterly PGA of its upstream gas supplier, Tennessee Gas Pipeline Company ("Tennessee"), and that its filing become effective on less than thrity days' notice, on the same effective date as that of Tennessee's revised PGA.

Alabama-Tennessee has requested any necessary waivers of the Commission's Regulations in order to permit the tariff sheets to become effective as proposed.

Any person desiring to protest said filing should file a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rule 211 of the Commission's Rules of Practice and Procedure 18 CFR 385.211. All such protests should be filed on or before March 17, 1992. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 92-6015 Filed 3-13-92; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. TM92-15-20-000]

Algonquin Gas Transmission Co.; Proposed Changes in FERC Gas Tariff

March 10, 1992

Take notice that Algonquin Gas Transmission Company ("Algonquin") on March 5, 1992, tendered for filing proposed changes in its FERC Gas Tariff, Third Revised Volume No. 1, as set forth in the following revised tariff sheets:

Proposed to be effective March 1, 1992

9 Rev Sheet No. 41
9 Rev Sheet No. 42

Algonquin states that the revised tariff sheets are being filed to flow through changes in Texas Eastern Transmission Corporation's Rate Schedules SS-2 and SS-3, which underlie Algonquin's Rate Schedules STB and SS-III. Pursuant to Section 10 of Rate Schedule STB and Section 9 of Rate Schedule SS-III in Algonquin's FERC GAs Tariff, Third Revised Volume No. 1, Algonquin is hereby filing the above sheets to track the latest changes filed by Texas Eastern on February 27, 1992 in Docket No. TF92-4-17-000 to be effective March 1, 1992.

Algonquin further states that the effect of the filed tariff sheets is to decrease the STB and SS/III demand charges by 0.14¢ per MMBtu.

Algonquin notes that copies of this filing were served upon each affected party and interested state commissions.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with §§ 385.214 and 385.211 of the Commission's Rules and Regulations. All such motions or protests should be filed on or before March 17, 1992. Protests will be considered by the Commission in Determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room.

Lois D. Cashell,

Secretary.

[FR Doc. 92-6016 Filed 3-13-92; 8:45 am]

BILLING CODE 6717-10-M

[Docket No. PR92-10-000]

Cranberry Pipeline Corp.; Petition for Rate Approval

March 10, 1992.

Take notice that on February 24, 1992, Cranberry Pipeline Corporation (Cranberry) filed pursuant to § 284.123(b)(2) of the Commission's regulations, a petition for rate approval requesting that the Commission approve as fair and equitable a maximum rate of 81.1 cents per MMBtu for transportation of natural gas on its West Virginia system under section 311(a)(2) of the Natural Gas Policy Act of 1978 (NGPA).

Cranberry states that it is an intrastate pipeline within the definition of section 2(16) of the NGPA and it owns and operates discrete facilities in the States of West Virginia, New York and Pennsylvania. Cranberry's West Virginia system is the subject of this petition. Cranberry states in its petition that its last approved rate for transportation on this system was 72 cents per MMBtu which was approved by the Commission in Docket No. ST98-2352-000.

Pursuant to § 284.123(b)(2)(ii), if the Commission does not act within 150 days of the filing date, the rate will be deemed to be fair and equitable and not in excess of an amount which interstate pipelines would be permitted to charge for similar transporation service. The Commission may, prior to the expiration of the 150 day period, extend the time for action or institute a proceeding to afford parties an opportunity for written comments and for the oral presentation of views, data and arguments.

Any person desiring to participate in this rate proceeding must file a motion to intervene in accordance with §§ 385.211 and 385.214 of the Commission's Rules of Practice and Procedures. All motions must be filed with the Secretary of the Commission on or before March 30, 1992. The petition for rate approval is on file with the Commission and is available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 92-6012 Filed 3-13-92; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. ER92-180-000 and EL92-17-000]

Detroit Edison Co., Initiation of Proceeding and Refund Effective Date

March 10, 1992.

Take notice that on March 2, 1992, the Commission issued an order in the above-indicated dockets initiating an investigation in Docket No. EL92-17-000 under section 206 of the Fedeal Power Act.

The refund effective date in Docket No. EL92-17-000 will be 60 days after publication of this notice in the **Federal Register.**

Lois D. Cashell,

Secretary.

[FR Doc. 92-6007 Filed 3-13-92; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. OR92-6-000]

Interstate Oil Pipeline Industry; Modification of time Schedule for Technical Conference on Oil Pipeline Matters

March 10, 1992.

By notice issued February 26, 1992 and amended on February 27, 1992, the Federal Energy Regulatory Commission scheduled a Technical Conference to consider matters pertinent to the regulation of the interstate oil pipeline industry.

A number of parties including the Association of Oil Pipe Lines, ARCO Transportation Alaska, Inc., ARCO Pipe Line Company, Four Corners Pipe Line Company, National Council of Farmer Cooperatives, Farmland Industries, Inc., Phillips Pipe Line Company, TE Products Pipeline Company, L.P., and Buckeye Pipe Line Company, L.P. have filed Motions requesting an extension of the proposed schedule. In their Motions, the parties state that the issues to be addressed at the Technical Conference are of great importance and as such, they need more time to fully and completely explore the issues in order to develop considered responses. The parties have requested various date extensions for the submission of information and for convening the Technical Conference.

In order to allow for full and considered participation and response by the oil pipeline industry, but not unduly delay moving this process forward, the dates for the Technical Conference are hereby modified.

The conference will be held Thursday, April 30, 1992, at 10 a.m. at the offices of the Federal Energy Regulatory Commission, 810 First Street, NE., Washington, DC 20426, in a Hearing Room to be announced. Any interested person can submit information prior to the meeting for consideration at the conference by addressing such information to: The Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426. Any such information should reference Docket No. OR92-6-000 and be filed no later than April 17, 1992. Persons wishing to participate should also file with the Secretary of the Commission a separate written notification of their intention to participate no later than April 17, 1992.

All interested persons and Staff are permitted to attend.

Lois D. Cashell,

Secretary.

[FR Doc. 92-6009 Filed 3-13-92; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. RP92-1-000 and CP92-71-000]

Northern Natural Gas Co.; Informal Settlement Conference

March 10, 1992.

Take notice that an informal settlement conference will be convened in the above-captioned proceeding at 1 p.m. on April 6, 1992, at the offices of the Federal Energy Regulatory Commission, 810 First Street, NE., Washigton, DC, for the purpose of exploring the possible settlement of the above-referenced dockets. The conference will resume at 10 p.m. on April 7.

Any party, as defined by 18 CFR 385.102(c), or any particpant as defined in 18 CFR 385.102(b), is invited to attend. Persons wishing to become a party must move to intervene and receive intervenor status pursuant to the Commission's regulations (18 CFR 385.214).

For additional information please contact Michael D. Cotleur, (202) 208-1076, or John J. Keating, (202) 208-0762.

Lois D. Cashell,

Secretary.

[FR Doc. 92-6011 Filed 3-13-92; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. FA90-19-000 and RP91-185-000]

Southern Energy Co.; Informal Settlement Conference

March 10, 1992.

Take notice that an informal settlement conference will be convened in this proceeding commencing on Friday, March 20, 1992, at 11 a.m., at the offices of the Federal Energy Regulatory Commission, 810 First Street NE., Washington, DC, for the purpose of exploring the possible settlement of the above-referenced dockets.

Any party, as defined by 18 CFR 385.102(c), or any participant as defined in 18 CFR 385.102(b), is invited to attend. Persons wishing to become a party must move to intervene and receive intervenor status pursuant to the Commission's regulations (18 CFR 385.214).

For additional information, contact Betsy R. Carr at (202) 208-1240.

Lois D. Cashell,

Secretary.

[FR Doc. 92-6010 Filed 3-13-92; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. PR92-12-000]

The Tekas Corp.; Petition for Rate Approval

March 10, 1992.

Take notice that on February 28, 1992, The Tekas Corporation (Tekas) filed pursuant to § 284.123(b)(2) of the Commission's regulations, a petition for rate approval requesting that the Commission approve as fair and equitable a maximum rate of 25 cents per Mcf plus an allowance for fuel used and lost and unaccounted for volumes for transportation of natural gas under section 311(a)(2) of the Natural Gas Policy Act of 1978 (NGPA).

Tekas' petition states that it is an intrastate pipeline operating in the State of Kansas. Tekas further states that it is requesting approval of its existing maximum rate of 25 cents per Mcf which was approved by the Commission in Docket No. ST88-3008-000, *et al.* (54 FERC ¶ 61,045).

Pursuant to § 284.123(b)(2)(ii), if the Commission does not act within 150 days of the filing date, the rate will be deemed to be fair and equitable and not in excess of an amount which interstate pipelines would be permitted to charge for similar transportation service. The Commission may, prior to the expiration of the 150 day period, extend the time for action or institute a proceeding to afford parties an opportunity for written comments and for the oral presentation of views, data and arguments.

Any person desiring to participate in this rate proceeding must file a motion to intervene in accordance with §§ 385.211 and 385.214 of the Commission's Rules of Practice and Procedures. All motions must be filed with the Secretary of the Commission on or before March 30, 1992. The petition for rate approval is on file with the

Commission and is available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 92-6013 Filed 3-13-92; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP91-210-006]

Tennessee Gas Pipeline Co.; Filing

March 10, 1992.

Take notice on March 5, 1992, Tennessee Gas Pipeline Company (Tennessee) tendered for filing the following revised tariff sheet in Third Revised Volume No. 1 of its FERC Gas Tariff to be effective on April 1, 1992:

Third Substitute First Revised Sheet No. 228

Tennessee states that this filing is being made to comply with the letter order of the Commission dated February 19, 1992. Tennessee states that the tariff sheet has been amended (1) to further clarify the relative priority of mid-day nomination changes and (2) to correct a typographical error.

Tennessee states that copies of its filing are available for inspection at its principal place of business in the Tenneco Building, Houston, Texas, and have been mailed to all affected customers.

Any person desiring to protest said filing should file a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rule 211 of the Commission's Rules of Practice and Procedure 18 CFR 385.211. All such protests should be filed on or before March 17, 1992. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 92-6018 Filed 3-13-92; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. PR92-11-000]

Utah Gas Service Co.; Petition for Rate Approval

March 10, 1992.

Take notice that on February 24, 1992, Utah Gas Service Company (Utah Gas) filed pursuant to § 284.123(b)(2) of the Commission's regulations, a petition for rate approval requesting that the Commission approve as fair and equitable a maximum rate of 18 cents per MMBtu for transportation of natural gas under section 311(a)(2) of the Natural Gas Policy Act of 1978 (NGPA).

Utah Gas states that it is a natural gas distribution company with its rates and tariffs regulated by the Utah Public Service Commission. Utah Gas states that it received a § 284.224 blanket transportation certification in Docket No. CP86-188-000. Utah Gas is requesting approval of its existing maximum rate for transportation under its blanket which was established in Docket No. ST89-2401-000.

Pursuant to § 284.123(b)(2)(ii), if the Commission does not act within 150 days of the filing date, the rate will be deemed to be fair and equitable and not in excess of an amount which interstate pipelines would be permitted to charge for similar transportation service. The Commission may, prior to the expiration of the 150 day period, extend the time for action or institute a proceeding to afford parties an opportunity for written comments and for the oral presentation of views, data and arguments.

Any person desiring to participate in this rate proceeding must file a motion to intervene in accordance with §§ 385.211 and 385.214 of the Commission's Rules of Practice and Procedures. All motions must be filed with the Secretary of the Commission on or before March 30, 1992. The petition for rate approval is on file with the Commission and is available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 92-6014 Filed 3-13-92; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP86-10-015]

Williston Basin, Interstate Pipeline Co.; Compliance Filing

March 10, 1992.

Take notice that on March 6, 1992, Williston Basin Interstate Pipeline Company (Williston Basin), 200 North Third Street, suite 300, Bismarck, North Dakota 58501, tendered for filing revised tariff sheets in compliance with the Commission's Order dated February 20, 1992.

The proposed effective dates of tariff sheets included in appendix A of the filing encompass the locked-in period of May 2, 1986 through February 29, 1988 per Docket No. RP86-10-000. In accordance with the February 20, 1992 Order, additional tariff sheets included in appendix B were filed to become effective March 6, 1992.

Any person desiring to protest said filing should file a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with rule 211 of the Commission's Rules of Practice and Procedure 18 CFR 385.211. All such protests should be filed on or before March 17, 1992. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 92-6017 Filed 3-13-92; 8:45 am]

BILLING CODE 6717-01-M

Western Area Power Administration

Modification To Program Opportunity for Biomass Energy Projects Proposed for Development Within the Western Regional Biomass Energy Program Region

AGENCY: Western Area Power Administration, DOE.

ACTION: Program Opportunity Notice—modification.

SUMMARY: A Notice on the above subject appeared in the **Federal Register** 57 FR 1261 dated January 13, 1992. This notice described the intent of the Western Area Power Administration to issue a Program Opportunity Notice (PON) on behalf of the Western Regional Biomass Energy Program, to solicit cost-shared proposals for the development, demonstration, and/or commercialization of biomass energy projects that utilize low- or negative-value feedstocks.

The purpose of this notice is to extend the deadline for requesting a copy of the PON from February 12, 1992 to May 15, 1992.

Parties who would like to receive a copy of the PON should submit a written request to the contact listed below. All requests for a PON should be submitted by May 15, 1992, and should reference solicitation number DE-PN65-92WA09522.

FOR FURTHER INFORMATION CONTACT: Ms. Ruth Adams, Contract Specialist, Western Area Power Administration, P.O. Box 3402, Mail Code A1521, Golden, CO 80401, (303) 231-7709.

Issued at Golden, Colorado, March 4, 1992.

William H. Clagett,

Administrator.

[FR Doc. 92-6087 Filed 3-13-92; 8:45 am]

BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

[FRL-4115-2]

Agency Information Collection Activities Under OMB Review

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected cost and burden.

DATE: Comments must be submitted on or before April 15, 1992.

FOR FURTHER INFORMATION CONTACT: Sandy Farmer at EPA, (202) 260–2740.

SUPPLEMENTARY INFORMATION:

OFFICE OF AIR AND RADIATION

Title: National Emissions Standards for Hazardous Air Pollutants: Radionuclide (EPA ICR #1100.04; OMB #2060–0191). This ICR requests an amendment to an existing clearance.

Abstract: Owners and operators of phosphogypsum stacks desiring to sell the material will be required to measure the concentration of radium–226 in the phosphogypsum and provide certification records to the purchasers of that material. These owners and operators must maintain records of these concentration measurements and certification documents for 5 years. Phosphogypsum distributors must maintain copies of certification documents and provide copies of such documents to those who purchase or receive phosphogypsum from them. All end users, except agricultural end-users, must maintain documentation describing their use of material. EPA will use this data to ensure that public health continues to be protected from the hazards of radon emitted by phosphogypsum.

Burden Statement: The public annual recordkeeping burden for this collection of information is estimated to average 304 hours per response for phosphogypsum stack owners/operators, 461 hours per response for distributors and 25 hours per response for end users, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Respondents: Owners and operators of phosphogypsum stacks, phosphogypsum distributors and phosphogypsum end-users.

Estimated Number of Respondents: 41 owners/operators, 25 distributors and 100 end-users.

Estimated Total Annual Burden on Respondents: 24,184 hours.

Frequency of collection: On occasion.

Send comments regarding the burden estimate, or any other aspect of this collection of information, including suggestions for reducing the burden, to:

Sandy Farmer, U.S. Environmental Protection Agency, Information Policy Branch (PM–223Y) 401 M Street, SW., Washington, DC 20460

and

Troy Hillier, Office of Management and Budget, Office of Information and Regulatory Affairs, 725 17th Street, NW., Washington, DC 20503.

Dated: March 10, 1992.

Paul Lapsley,

Director, Regulatory Management Division.

[FR Doc. 92–6074 Filed 3–13–92; 8:45 am]

BILLING CODE 6560–50–M

FEDERAL DEPOSIT INSURANCE CORPORATION

Thrift Depositor Protection Oversight Board

Thrift Depositor Protection Oversight Board Meeting

AGENCY: Thrift Depositor Protection Oversight Board, FDIC.

ACTION: Notice of meeting.

DATES: Wednesday, April 1, 1992, 3 to 4 p.m.

ADDRESSES: Federal Deposit Insurance Corporation (FDIC), 550 17th Street, NW., Sixth floor, room 6010, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Bonnie Limbach, Director, Corporate Communications, 1777 F Street, NW., Washington, DC 20232, (202) 786–9672.

SUPPLEMENTARY INFORMATION: Discussion agenda:

- RTC Update.
- National Advisory Board Recommendations.
- National Housing Advisory Board Recommendations.
- Resolution Strategies Closed session to follow.

Dated: March 11, 1992.

Jill Nevius,

Committee Management Officer.

[FR Doc. 92–6043 Filed 3–13–92; 8:45 am]

BILLING CODE 2222–01–M

FEDERAL RESERVE SYSTEM

Credit Suisse; Application to Engage de novo in Permissible Nonbanking Activities

The company listed in this notice has filed an application under § 225.23(a)(1) of the Board's Regulation Y (12 CFR 225.23(a)(1)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to commence or to engage *de novo*, either directly or through a subsidiary, in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Comments regarding the application must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than April 10, 1992.

A. Federal Reserve Bank of New York (William L. Rutledge, Vice President) 33 Liberty Street, New York, New York 10045:

1. Credit Suisse, Zurich, Switzerland, and CS Holding, Zurich, Switzerland; to engage *de novo* through one or more subsidiaries, including BEA Associates, in foreign exchange advisory and transactional services pursuant to § 225.25(b)(17); and providing investment advice on financial futures and options on futures pursuant to § 225.25(b)(19) of the Board's Regulation Y and thereby

provide investment advice, including counsel, publications, written analyses and reprots, as a commodity trading advisor registered with the Commodity Futures Trading Commission, with respect to the purchase and sale of futures contracts and options on futures contracts for the commodities and instruments referred to in § 225.25(b)(18) of the Board's Regulation Y on a worldwide basis.

Board of Governors of the Federal Reserve System, March 10, 1992.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 92-6031 Filed 3-13-92; 8:45 am]

BILLING CODE 6210-01-F

First Pinellas Financial Group, Inc., et al.; Formations of; Acquisitions by; and Mergers of Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) and § 225.14 of the Board's Regulation Y (12 CFR 225.14) to become a bank holding company or to acquire a bank or bank holding company. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank or to the offices of the Board of Governors. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Unless otherwise noted, comments regarding each of these applications must be received not later than April 10, 1992.

A. Federal Reserve Bank of Atlanta (Robert E. Heck, Vice President) 104 Marietta Street, NW., Atlanta, Georgia 30303:

1. First Pinellas Financial Group, Inc., St. Petersburg, Florida; to become a bank holding company by acquiring 60.09 percent of the voting shares of Rutland's Florida Gulf Bank, Seminole, Florida.

B. Federal Reserve Bank of Minneapolis (James M. Lyon, Vice President) 250 Marquette Avenue, Minneapolis, Minnesota 55480:

1. NoDak Bancorporation, Mandan, North Dakota; to acquire 91 percent of the voting shares of First Southwest Bank-Bismarck, Bismarck, North Dakota, a *de novo* bank.

Board of Governors of the Federal Reserve System, March 10, 1992.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 92-6032 Filed 3-13-92; 8:45 am]

BILLING CODE 6210-01-F

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 92M-0078]

Advanced Interventional Systems, Inc.; Premarket Approval of the AIS Excimer Laser Angioplasty System

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing its approval of the application by Advanced Interventional Systems, Inc., Irvine, CA, for premarket approval, under section 515 of the Federal Food, Drug, and Cosmetic Act (the act), of the AIS Excimer Laser Angioplasty System. After reviewing the recommendation of the Circulatory System Devices Panel, FDA's Center for Devices and Radiological Health (CDRH) notified the applicant, by letter of January 31, 1992, of the approval of the application.

DATES: Petitions for administrative review by April 15, 1992.

ADDRESSES: Written requests for copies of the summary of safety and effectiveness data and petitions for administrative review to the Dockets Management Branch (HFA-305), Food and Drug Administration, rm. 1-23, 12420 Parklawn Dr., Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Brad C. Astor, Center for Devices and Radiological Health (HFZ-450), Food and Drug Administration, 1390 Piccard Dr., Rockville, MD 220850, 301-427-1044.

SUPPLEMENTARY INFORMATION: On May 2, 1990, Advanced Interventional Systems, Inc., 9 Parker, Irvine, CA 92718, submitted to CDRH an application for premarket approval of the AIS Excimer Laser Angioplasty System. The system is indicated for the percutaneous treatment of clinically significant obstructive coronary artery disease in patients who can be treated by the Model PC4020 laser catheter alone or followed by balloon angioplasty.

Patients must meet all of the following conditions:

1. Acceptable candidates for coronary artery bypass graft surgery;

2. Atherosclerotic lesions in coronary arteries which are crossable by a guidewire; and

3. Coronary artery segments greater than 20 millimeters in length.

On October 29, 1990, the Circulatory System Devices Panel of the Medical Devices Advisory Committee, an FDA advisory committee, reviewed and recommended approval of the application. On January 31, 1992, CDRH approved the application by a letter to the applicant from the Director of the Office of Device Evaluation, CDRH.

A summary of the safety and effectiveness data on which CDRH based its approval is on file in the Dockets Management Branch (address above) and is available from that office upon written request. Requests should be identified with the name of the device and the docket number found in brackets in the heading of this document.

Opportunity for Administrative Review

Section 515(d)(3) of the act (21 U.S.C. 360e(d)(3)) authorizes any interested person to petition, under section 515(g) of the act (21 U.S.C. 360e(g)), for administrative review of CDRH's decision to approve this application. A petitioner may request either a formal hearing under part 12 (21 CFR part 12) of the FDA's administrative practices and procedures regulations or a review of the application and CDRH's action by an independent advisory committee of experts. A petition is to be in the form of a petition for reconsideration under § 10.33(b) (21 CFR 10.33(b)). A petitioner shall identify the form of review requested (hearing or independent advisory committee) and shall submit with the petition supporting data and information showing that there is a genuine and substantial issue of material fact for resolution through administrative review. After reviewing the petition, FDA will decide whether to grant or deny the petition and will publish a notice of its decision in the **Federal Register**. If FDA grants the petition, the notice will state the issue to be reviewed, the form of review to be used, the persons who may participate in the review, the time and place where the review will occur, and other details.

Petitioners may, at time on or before April 15, 1992, file with the Dockets Management Branch (address above) two copies of each petition and supporting data and information, identified with the name of the device

and the docket number found in brackets in the heading of this document. Received petitions may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

This notice is issued under the Federal Food, Drug, and Cosmetic Act (secs. 515(d), 520(h) (21 U.S.C. 360e(d), 360j(h))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Director, Center for Devices and Radiological Health (21 CFR 5.53).

Dated: March 6, 1992.

Elizabeth D. Jacobson,

Deputy Director, Center for Devices and Radiological Health.

[FR Doc. 92-6029 Filed 3-13-92; 8:45 am]

BILLING CODE 4160-01-M

Health Care Financing Administration

[OIS-016-N]

Medicare Program; Quarterly Listing of Program Issuances and Coverage Decisions

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: General notice.

SUMMARY: This notice lists HCFA manual instructions, substantive and interpretative regulations and other **Federal Register** notices, and statements of policy that were published during October, November, and December 1991 that relate to the Medicare program. Section 1871(c) of the Social Security Act requires that we publish a list of our Medicare issuances in the **Federal Register** at least every three months.

We also are providing the content of the revisions to the Medicare Coverage Issues Manual published during this quarter. On August 21, 1989 (54 FR 34555), we published the content of the Manual and indicated that we will publish quarterly any updates. Adding the Medicare Coverage Issues Manual changes to this listing allows us to fulfill this requirement in a manner that facilitates identification of coverage and other changes in our manuals.

FOR FURTHER INFORMATION CONTACT:

Allen Savadkin, (410) 966-5265 (For Instruction Information)

Sam Shekar, (410) 966-5316 (For Coverage Information)

Margaret Teeters, (410) 966-4678 (For All Other Information).

SUPPLEMENTARY INFORMATION:

I. Program Issuances

The Health Care Financing Administration (HCFA) is responsible for administering the Medicare program, a program that pays for health care and related services for 34 million Medicare beneficiaries. Administration of the program involves (1) providing information to beneficiaries, health care providers, and the public; and (2) effective communications with regional offices, State governments, various providers of health care, fiscal intermediaries and carriers who process claims and pay bills, and others. To implement the various statutes on which the program is based, we issue regulations under authority granted the Secretary under sections 1102 and 1871 and related provisions of the Social Security Act (the Act) and also issue various manuals, memoranda, and statements necessary to administer the program efficiently.

Section 1871(c)(1) of the Act requires that we publish in the **Federal Register** no less frequently than every three months a list of all Medicare manual instructions, interpretative rules, statements of policy, and guidelines of general applicability not issued as regulations. We published our first notice June 9, 1988 (53 FR 21730). As in prior notices, although both substantive and interpretative regulations published in the **Federal Register** in accordance with section 1871(a) of the Act are not subject to the publication requirement of section 1871(c), for the sake of completeness of the listing of operational and policy statements, we are including those regulations (proposed and final) published.

II. Coverage Issues

We receive numerous inquiries from the general public about whether specific items or services are covered under Medicare. Providers, carriers, and intermediaries have copies of the Medicare Coverage Issues Manual, which identifies those medical items, services, technologies, or treatment procedures that can be paid for under Medicare. On August 21, 1989, we published a notice in the **Federal Register** (54 FR 34555) that contained all the Medicare coverage decisions issued in that manual.

In that notice, we indicated that revisions to the Coverage Issues Manual will be published at least quarterly in the **Federal Register.** We also sometimes issue proposed or final national coverage decision changes in separate **Federal Register** notices. Table IV of this notice contains the text of revisions to the Coverage Issues Manual published between October 1 and December 31, 1991. Readers should find this an easy way to identify both issuance changes to all our manuals and the text of changes to the Coverage Issues Manual.

Revisions to the Coverage Issues Manual are not published on a regular basis but on an as needed basis. We publish revisions as a result of technological changes, medical practice changes, responses to inquiries we receive seeking clarifications, or the resolution of coverage issues under Medicare. If no Coverage Issues Manual revisions were published during a particular quarter, our listing will reflect that fact.

Not all revisions to the Coverage Issues Manual contain major changes. As with any instruction, sometimes minor clarifications or revisions are made within the text. We have reprinted manual revisions as transmitted to manual holders. The new text is shown in italics. We will not reprint the table of contents, since the table of contents serves primarily as a finding aid for the user of the manual and does not identify items as covered or not.

We issued or first update that included the text of changes to the Coverage Issues Manual on March 20, 1990 (55 FR 10290), our second on February 6, 1991 (56 FR 4830), our third on July 5, 1991 (FR 30752), our fourth on November 22, 1991 (56 FR 58913), and our fifth on January 22, 1992 (57 FR 2558). The issuance update found in Table IV of this notice, when added to material from the manual published on August 21, 1989, and the updates published on March 20, 1990, February 6, 1991, July 5, 1991, November 22, 1991, and January 22, 1992 constitute a complete manual as of December 31, 1991. Parties interested in obtaining a copy of the manual and revisions should follow the instructions in section IV of this notice.

III. How to Use the Listing

This notice is organized so that a reader may review the subjects of all manual issuances, memoranda, substantive and interpretative regulations, or coverage decisions published during this timeframe to determine whether any are of particular interest. We expect it to be used in concert with previously published notices. Most notably, those unfamiliar with a description of our manuals may wish to review Table I of our first three notices (53 FR 21730), 53 FR 36891, and 53 FR 50577); those desiring information on the Medicare Coverage Issues Manual may wish to review the August 21, 1989 publication; and those seeking information on the location of regional depository libraries may wish to review Table IV of our first notice. We have divided this current listing into four tables.

Table I describes where interested individuals can get a description of all previously published HCFA manuals and memoranda.

Table II of this notice lists, for each of our manuals or Program Memoranda, a transmittal number unique to that instruction and its subject matter. A transmittal may consist of a single instruction or many. Often it is necessary to use information in a transmittal in conjunction with information currently in the manuals.

Table III lists all substantive and interpretative Medicare regulations and general notices published in the **Federal Register** during this period. For each item, we list the date published, the title of the regulation, and the parts of the Code of Federal Regulations (CFR) which have changed.

Table IV sets forth the revisions to the Medicare Coverage Issues Manual that were published during this quarter. For each revision, we give a brief synopsis of the revision as it appears on the transmittal sheet, the manual section number, and the title of the section. We present a complete copy of the revised material, no matter how minor the revision, and identify the revision by printing in italics the text that was changed. If the transmittal includes material unrelated to the revised sections, for example, when the addition of revised material causes other sections to be repaginated, we do not reprint the unrelated material.

IV. How To Obtain Listed Material

A. Manuals

An individual or organization interested in routinely receiving any manual and revisions to it may purchase a subscription to that manual. Those wishing to subscribe should contact either the Government Printing Office (GPO) or the National Technical Information Service (NTIS) at the following addresses: Superintendent of Documents, Government Printing Office, ATTN: New Order, P.O. Box 371954, Pittsburgh, PA 15250–7954, Telephone (202) 783–3238, or fax your credit card order using (202) 512–2250; National Technical Information Service, Department of Commerce, 5825 Port Royal Road, Springfield, VA 22161, Telephone (703) 487–4630.

In addition, individual manual transmittals and Program Memoranda listed in this notice can be purchased from NTIS. Interested parties should identify the transmittal(s) they want. GPO or NTIS will give complete details on how to obtain the publications they sell.

B. Regulations and Notices

Regulations and notices are published in the daily **Federal Register**. Interested individuals may purchase individual copies or subscribe to the **Federal Register** by contacting the Government Printing Office at the same address indicated above for manual issuances. When ordering individual copies, it is necessary to cite either the date of publication or the volume number and page number.

C. Rulings

Rulings are published on an infrequent basis by HCFA. Interested individuals can obtain copies from the nearest HCFA Regional Office or review them at the nearest regional depository library. We also sometimes publish Rulings in the **Federal Register**.

V. How To Review Listed Material

Transmittals or Program Memoranda can be reviewed at a local Federal Depository Library (FDL). Under the Federal Depository Library Program, government publications are sent to approximately 1400 designated libraries throughout the United States. Interested parties may examine the documents at any one of the FDLs. Some may have arrangements to transfer material to a local library not designated as an FDL. To locate the nearest FDL, individuals should contact any library.

In addition, individuals may contact regional depository libraries, which receive and retain at least one copy of nearly every Federal Government publication, either in printed or microfilm form, for use by the general public. These libraries provide reference services and interlibrary loans; however, they are not sales outlets. Individuals may obtain information about the location of the nearest regional depository library from any library.

Superintendent of Documents numbers for each HCFA publication are shown in Table II, along with the HCFA publication and transmittal numbers. To help FDLs locate the instruction, use the Superintendent of Documents number, plus the HCFA transmittal number. For example, to find the Intermediary Manual, Part 3—Claims Process (HCFA–Pub. 13–3) transmittal entitled "Ambulatory Surgical Center PRICER Program," use the Superintendent of Documents No. HE 22.8/6 and the HCFA transmittal number 1543.

VI. General Information

It is possible that an interested party may have a specific information need and not be able to determine from the listed information whether the issuance or regulation would fulfill that need. Consequently, we are providing information contact persons to answer general questions concerning these items. Copies are not available through the contact persons. Individuals are expected to purchase copies or arrange to review them as noted above.

Questions concerning items in Tables I or II may be addressed to Allen Savadkin, Office of Issuances, Health Care Financing Administration, room 688 East High Rise, 6325 Security Blvd., Baltimore, MD 21207, Telephone (410) 966–5265.

Questions concerning items in Table IV may be addressed to Sam Shekar, Office of Coverage and Eligibility Policy, Health Care Financing Administration, room 445 East High Rise, 6325 Security Blvd., Baltimore, MD 21207, Telephone (410) 966–5316.

Questions concerning all other information may be addressed to Margaret Teeters, Regulations Staff, Health Care Financing Administration, room 132 East High Rise, 6325 Security Blvd., Baltimore, MD 21207, Telephone (410) 966–4678.

Table I.—Description of Manuals, Memoranda and HCFA Rulings

An extensive descriptive listing of manuals and memoranda was previously published at 53 FR 21730 and supplemented at 53 FR 36891 and 53 FR 50577. Also, for a complete description of the Medicare Coverage Issues Manual, please review 54 FR 34555.

TABLE II.—MEDICARE MANUAL INSTRUCTIONS, OCTOBER–DECEMBER 1991

Trans. No.	Manual/Subject/Publication Number
	Intermediary Manual, Part 1—Fiscal Administration (HCFA—Pub. 13–1) (Superintendent of Documents No. HE 22.8/6–3)
122	● HCFA Approval of Subcontracts and Requests for Automated Data Processing Systems and Operations Changes.

TABLE II.—MEDICARE MANUAL INSTRUCTIONS, OCTOBER–DECEMBER 1991—Continued

Trans. No.	Manual/Subject/Publication Number
	Intermediary Manual Part 2—Audits, Reimbursement, Program Administration (HCFA—Pub. 13-2) (Superintendent of Documents No. HE 22.8/6-2)
385	● Process Claims Functional Criterion. Audit Functional Criterion. Medical Review Functional Criterion. Medicare Secondary Payer Functional Criterion Financial Management Functional Criterion. Reimbursement Functional Criterion.
	Intermediary Manual, Part 3—Claims Process (HCFA—Pub. 13-3) (Superintendent of Documents No. HE 22.8/6)
1541	● Requesting or Providing Assistance to Resolve Common Working File Rejects. Payment Without CWF Approval.
1542	● PRO Reporting on Medical Review. Report on Revisions to Monthly PRO Adjustment Bill Report.
1543	● Ambulatory Surgical Center PRICER Program.
1544	● Review of Form HCFA-1450 for Inpatient and Outpatient Bills.
1545	● Payment for Epoetin. Laboratory Tests for Hemodialysis, Intermittent Peritoneal Dialysis, Continuous Cycling Peritoneal Dialysis and Hemofiltration. Payment of EPO—Free Standing and Provider Based Dialysis Facilities. Review of ESRD Bill Under Method I. Guidelines for Review of Claims for Epoetin.
1546	● Medical Review of Hospice Claims. Medical Review of Part B Intermediary OPT Bills. Medical Review of Part B Intermediary Outpatient Occupational Therapy Bills. Focused MR Analysis. Medical Review of Part B Intermediary OPT Bills.
1547	● Billing for Durable Medical Equipment and Orthotic/Prosthetic Devices.
1548	● Guidelines for Review of Claims for Epoetin Medical Review of Hospital Outpatient Claims.
1549	● Disclosure to Peer Review Organizations, Disclosure to Carriers.
1550	● Osteoporosis Injections as a HHA Benefit.
1551	● Home Health Denial Paragraphs.
1552	● Form HCFA-1450 Consistency Edits. Processing the HCFA-382, ESRD Beneficiary Selection.
1553	● Bone Marrow Transplantation. Allogeneic Bone Marrow Transplantation. Autologous Bone Marrow Transplantation Billing for Bone Marrow Transplantation. Notifying Carriers.
1554	● Review of Form HCFA-1450 for Inpatient and Outpatient Bills. Hospital Inpatient Bills—General. Outliers. Hospital Capital Payments Unders PPS DRG Grouper Program. PPS Pricer Program. Provider Specific Data Record Layout and Description.
1555	● Request for Information Required in the Development of Medicare Secondary Payer Claims. Medicare Secondary Payer Claims Processing Under Common Working File.
	Carriers Manual, Part 2—Program Administration (HCFA—Pub. 14-2) (Superintendent of Documents No. HE 22.8/7-3)
116	● Process Claims Functional Criterion. Medical Review Functional Criterion. Medicare Secondary Payer Functional Criterion. Pricing and Coding Functional Criterion. Financial Management Functional Criterion.
117	● Contractor Performance Evaluation Program FY ,992. Carrier Performance Criteria—General. Common Working File Host Performance Evaluation Program FY 1992. Common Working File Host Performance Criteria—General.
	Carriers Manual, Part 3—Claims Process (HCFA—Pub. 14-3) (Superintendent of Documents No. HE 22.8/7)
1403	● Payment for Physicians' Services Furnished to Dialysis Inpatients.
1404	● Replicating Claims for Processing. Filing Part B Claims for Physicians' and Suppliers' Services. Claims Forms. Time Limitation on Filing Part B Reasonable Charge and Fee Schedule Claims. Filing Claims for Nonassigned Services. Physician and Supplier Billing Requirements for Services Furnished On or After September 1, 1990. HCFA-1490S Claims for Services On or After September 1, 1990. Obligation of Physician or Supplier to Bill for Services Which Are Not Covered. Claims Review—General. Contacts With Physicians, Suppliers or Beneficiaries for Additional Information. Physician or Supplier Refuses to Submit a Part B Bill to Medicare. Physician or Supplier Charges for Completing or Submitting a Medicare Claim or for Furnishing an Itemized Bill. Professional Relations. Explanatory and Denial Messages. Tables of EOMB Statements. Return of Beneficiary Submitted Bills for Services Furnished On or After September 1, 1990.

TABLE II.—MEDICARE MANUAL INSTRUCTIONS, OCTOBER–DECEMBER 1991—Continued

Trans. No.	Manual/Subject/Publication Number
	Monitoring Claims Submission Violations.
	Claim Submission Monitoring Reports.
	Sample Notification Letter.
	Violations That Are Not Developed for OIG Referral.
1405	● Place of Service.
1406	● Bill Review of Laboratory Services.
	Completion of Initial Claim for EPO, Hematocrit/Hemoglobin.
1407	● Additional Procedure Codes Deleted from the Assistant at Surgery Payment Restriction.
1408	● Medicare Secondary Payer Claims Processing Under Common Working File.
	Request for Information Required in the Development of Medicare Secondary Payer Claims.
1409	● Part B Medicare Claims Processing Under Common Working File.
	Carriers Manual, Part 4—Professional Relations (HCFA—Pub. 14–4) (Superintendent of Documents. No. HE 22.8/7–4)
5	● Purpose of Health Insurance Claim Form—HCFA–1500.
	Items 1—13—Patient and Insured Information.
	Items 14—33—Physician or Supplier Information.
	Health Insurance Claim Form HCFA–1500 (December 1990).
6	● Unique Physician Identification Number Cross-Referral Requirement.
	Rejections.
	Privacy Act Requirements.
	Release of UPINs.
	Release of UPINs to Physicians.
	File Transfer.
	Registry Customer Information Control System.
	UPIN Directory.
	Program Memorandum, Intermediaries (HCFA—Pub. 60A) (Superintendent of Documents No. HE 22.8/6–5)
A–91–8	● Change in Hospice Payment Rates (Note: This Program Memorandum was replaced by Program Memorandum A–91–11.)
A–91–9	● Implementation of Settlement Agreement in Tews v. Sullivan.
A–91–10	● Updated Data for Determining Additional Payment Amounts for Hospitals With a Disproportionate Share of Low Income Patients.
A–91–11	● Change in Hospice Payment Rates (Note: This Program Memorandum replaced Program Memorandum A–91–8.)
A–91–12	● Financial Arrangements Between Hospitals and Hospital-Based Physicians.
A–91–13	● Prospective Payment System and Other Bill Processing Changes.
A–91–14	● Changes in ICD–9–CM Coding.
A–91–15	● Letter to Participating Hospitals, Skilled Nursing Facilities, Hospices and Home Health Agencies Regarding Advance Directive Requirements.
	Program Memorandum, Carriers (HCFA—Pub. 60B) (Superintendent of Documents No. HE 22.8/6–5)
B–91–11	● 1992 Dear Doctor/Dear Supplier Letters; Physician, Practitioner and Supplier Participation Enrollment; Fee Schedule Disclosure Activities.
B–91–12	● Unique Physician Identification Number for Ordering and Referring Physician Items and Services on Medicare Claims.
	Program Memorandum, Intermediaries/Carriers, (HCFA—Pub. 60A/B) (Superintendent of Documents No. HE 22.8/6–5)
AB–91–7	● Current Status of Medicare Program Memorandums and Letters Issued Before Calendar Year 1991.
	Program Memorandum, Regional Offices Medicare (HCFA—Pub. 52) (Superintendent of Documents No. HE 22.28/5:90–1)
91–2	● Disenrollment Request From HMOs.
	Hospital Manual (HCFA—Pub. 10) (Superintendent of Documents No. HE 22.8/2)
622	● Completion of Form HCFA–1450 for Inpatient and/or Outpatient Bills.
623	● Payment for Epoetin.
	Laboratory Tests for Hemodialysis, Intermittent Peritoneal Dialysis, and Continuous Cycling Peritoneal Dialysis Included in the Composite Rate.
	Completion of Form HCFA–1450 for Inpatient and/or Outpatient Billing.
	Special Instructions on Completion of the HCFA–1450 Billed by Hospital Based Renal Dialysis Facilities under Method I
	Payment of Epoetin.
624	● Billing for Durable Medical Equipment and Orthotic/Prosthetic Devices.
625	● General Admission Procedures
626	● Provider Electronic Billing File and Record Formats.
627	● Form HCFA–1450 Consistency Edits.
628	● Bone Marrow Transplantation.
	Allogeneic Bone Marrow Transplantation.
	Autologous Bone Marrow Transplantation.
	Billing for Bone Marrow Transplantation.
	Home Health Agency Manual (HCFA—Pub. 11) (Superintendent of Documents No. HE 22.8/5)
248	● Billing for Durable Medical Equipment and Orthotic/Prosthetic Devices.
249	● Collection of Deductible and Coinsurance From the Patients.
	Billing for Osteoporosis Injections.
	Skilled Nursing Facility, Manual (HCFA—Pub. 12) (Superintendent of Documents No. HE 22.8/3)
306	● Billing for Durable Medical Equipment and Orthotic/Prosthetic Devices.

TABLE II.—MEDICARE MANUAL INSTRUCTIONS, OCTOBER–DECEMBER 1991—Continued

Trans. No.	Manual/Subject/Publication Number
	Health Maintenance Organization/Competitive Medical Plan Manual (HCFA—Pub. 75) (Superintendent of Documents No. HE 22.8/21:989)
7	● General Information. Program Administration. Contract Eligibility.
	Renal Dialysis Facility Manual (Non-Hospital Operated) (HCFA—Pub. 29) (Superintendent of Documents No. HE 22.8/13)
51	● Payment for Epoetin Laboratory Tests for Hemodialysis, Intermittent Peritoneal Dialysis and Continuous Cycling Peritoneal Dialysis. Accessory Items. Blood Testing Supplies. Laboratory Tests For Hemodialysis, Peritoneal Dialysis, and CCPD Included in the Composite Rate. Epoetin. Value Codes and Amounts Required.
	Coverage Issues Manual (HCFA—Pub. 6) (Superintendent of Documents No. HE 22.8/14)
53	● Laboratory Tests—CRD Patients.
54	● Laparoscopic Cholecystectomy.
	Outpatient Physical Therapy and Comprehensive Outpatient Rehabilitation Facility Manual (HCFA—Pub. 9) (Superintendent of Documents No. HE 22.8/9)
104	● Billing for Durable Medical Equipment and Orthotic/Prosthetic Devices.
	Provider Reimbursement Manual, Part 1 (HCFA—Pub. 15–1) (Superintendent of Documents No. HE 22.8/4)
362	● Updated Per Diem Prospective Payment Rates for Skilled Nursing Facility General Inpatient Routine Services.
363	● Travel Expense.
364	● ESRD Laboratory Services Included Under the Composite Rate. Special Circumstances. (Note: This transmittal was reissued as Part 1—Chapter 27 of the Provider Reimbursement Manual.)
365	● Counting Patient Days for Maternity Patients.
	Provider Reimbursement Manual, Part 1—Chapter 27 (HCFA—Pub. 15–27) Reimbursement for ESRD and Transplant Services (Superintendent of Documents No. HE 22.8/4)
17	● ESRD Laboratory Services Included Under the Composite Rate. Special Circumstances.

TABLE III.—REGULATIONS AND NOTICES PUBLISHED OCTOBER–DECEMBER 1991

Publication date/cite	42 CFR part	Title
	Final Rules	
10/09/91 (56 FR 50821)	414	Medicare Program; Continuous Use of Durable Medical Equipment.
10/17/91 (56 FR 51984)	417	Prepaid Health Care: Obsolete Provisions.
10/22/91 (56 FR 54539)	413, 482, and 483	Medicare Program; Swing-Bed Program Changes.
11/25/91 (56 FR 59502)	405, 413, and 415	Medicare Program; Fee Schedule for Physicians' Services.
12/03/92 (56 FR 61374)	411	Medicare Program; Reporting Requirements for Financial Relationships Between Physicians and Health Care Entities That Furnish Selected Items and Services.
12/20/91 (56 FR 65995)	414	Medicare Program; Payment for Customized Wheelchairs.
	Proposed Rules	
10/07/91 (56 FR 50542)	409	Medicare Program; "Confined to the Home" Requirements for Home Health Services.
10/09/91 (56 FR 50834)	413	Medicare Program; Clarification of Medicare's Accrual Basis of Accounting Policy (Correction Notices Published 11/25/91 (56 FR 59240) and 11/26/91 (56 FR 59979)).
10/25/91 (56 FR 55382)	400, 409, 410, 411, 412, 413, 424, 440, 485, 488, and 489.	Medicare Program; Essential Access Community Hospitals (EACHs) and Rural Primary Care Hospitals (RPCHs).
11/06/91 (56 FR 56612)	400, 420, and 421	Medicare Program; Carrier Jurisdiction for Claims for Durable Medical Equipment, Prosthetics, Orthotics and Supplies, and Other Issues Involving Suppliers.

Notices

Publication date/cite	Title
10/03/91 (56 FR 50058)	Medicare and Medicaid Programs; Eligibility for Premium Hospital Insurance; State Buy-In Agreement (Correction of the Final Rule Published 08/12/91 (56 FR 30874)).
10/11/91 (56 FR 51334)	Medicare Program; Home Health Agencies: Conditions of Participation (Correction of the Final Rule Published 07/18/91 (56 FR 32967)).
11/05/91 (56 FR 56544)	Medicare Program; Criteria and Standards for Evaluating Intermediary and Carrier Performance (Correction of the Notice published 09/20/91 (56 FR 47758)).

TABLE III.—REGULATIONS AND NOTICES PUBLISHED OCTOBER–DECEMBER 1991—Continued

Publication date/cite	Title
11/15/91 (56 FR 58061)	Medicare Program; Inpatient Hospital Deductible and Hospital and Skilled Nursing Facility Coinsurance Amounts for 1992.
11/15/91 (56 FR 58062)	Medicare Program; Monthly Actuarial Rates and Monthly Supplementary Medical Insurance Premium Rates Beginning January 1, 1992 (Correction Notice Published 12/13/91 (56 FR 65112)).
11/15/91 (56 FR 58067)	Medicare Program; Part A Premium for 1992 for the Uninsured Age and for Certain Disabled Individuals Who Have Exhausted Other Entitlement.
11/22/91 (56 FR 58913)	Medicare Program; Quarterly Listing of Program Issuances and Coverage Decisions.
11/25/91 (56 FR 59813)	Physician Fee Schedule Update for Calendar Year 1992 and Physician Performance Standard Rates of Increase for Federal Fiscal Year 1992.
11/25/91 (56 FR 59218)	Medicare Program; Changes to the Inpatient Hospital Prospective Payment System and Fiscal Year 1992 Rates (Correction of the Final Rule Published 08/30/91 (56 FR 20778)).
11/25/91 (56 FR 59331)	Medicare and Medicaid Programs; Nurse Aid Training and Competence Evaluation Programs (Correction of the Final Rule Published 09/26/91 (56 FR 48880)).
11/29/91 (56 FR 61023)	Medicare Program; Standard Claim Forms for Part B Claims Completed and Submitted by Physicians, Suppliers and Other Persons.
12/09/91 (56 FR 64256)	Medicare Program; Schedule of Limits on Home Health Care Agency Costs Per Visit for Cost Reporting Periods Beginning on or After July 1, 1991.
12/16/91 (56 FR 65269)	Medicare Program; Conditional Designation of States in Which Medicare Select Insurance Policies May Be Issued (Correction of the General Notice with Comment Period Published 09/20/91 (56 FR 47763)).
12/31/91 (56 FR 67666)	Medicare Program; Update of Ambulatory Surgical Center Payment Rates and Additions to and Deletions from the Current List of Covered Surgical Procedures.

Table IV.—Medicare Coverage Issues Manual

[For the reader's convenience, new material and changes to previously published material are in italics. If any part of a sentence in the manual instruction has changed, the entire line is shown in italics. The transmittal includes material unrelated to revised sections. We are not reprinting the unrelated material.)

[Transmittal No. 53; section 50–17, Laboratory Tests—CRD Patients.

New Implementing Instruction—Effective Date: 11/12/91.

Section 50–17, Laboratory Tests—CRD Patients.

This section is revised to include hemoglobin as a routinely covered test for a CRD patient.]

50–17 Laboratory Tests—CRD patients

A. Laboratory tests are essential to monitor the progress of CRD patients. The following list and frequencies of tests constitute the level and types of routine laboratory tests that are covered. Bills for other types of tests are considered nonroutine. Routine tests at greater frequencies must include medical justification. Nonroutine tests generally are justified by the diagnosis. The routinely covered regimen includes the following tests: Per Dialysis

All hematocrit or hemoglobin and clotting time tests furnished incident to dialysis treatments.

[Transmittal No. 54, section 35–91, Laparoscopic Cholecystectomy.

New Implementing Instruction—Effective Date: Services performed on or after 11/18/91.

Section 35–91, Laparoscopic Cholecystectomy.—This section has been added to provide for coverage of laparoscopic cholecystectomy for the removal of the gall bladder.]

35–91 Laparoscopic Cholecystectomy (Effective for Services Performed on and After 11/18/91

Laparoscopic cholecystectomy is a covered surgical procedure in which a diseased gall bladder is removed through the use of instruments introduced via cannulae, with vision of the operative field maintained by use of a high-resolution television camera-monitor system (video laparoscope). Until a permanent national code is issued, use the following Q codes (temporary codes):

- *Q0059 Laparoscopy, surgical; cholecystectomy (any method), and*
- *Q0062 Laparoscopy, surgical; cholecystectomy (any method) with cholangiography. These codes will facilitate data-keeping in order to help evaluate this new technology.*

(Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; and Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: March 6, 1992.

Gail R. Wilensky,

Administrator, Health Care Financing Administration.

[FR Doc. 92–6053 Filed 3–13–92; 8:45 am]

BILLING CODE 4120–01–M

Health Resources and Services Administration

Pediatric Acquired Immune Deficiency Syndrome (AIDS); Health Care Demonstration Projects

AGENCY: Health Resources and Services Administration (HRSA), PHS, HHS.

ACTION: Notice of availability of funds.

SUMMARY: The Maternal and Child Health Bureau (MCHB), HRSA, announces that fiscal year (FY) 1992 funds are available for grants for Pediatric AIDS Health Care Demonstration Projects. Projects will be funded to demonstrate strategies and innovative models for medical intervention in pediatric AIDS and coordinated medical and social services for children, youth, women of childbearing age, and families affected by the Human Immunodeficiency Virus (HIV) infection, AIDS or other related conditions, or those at risk for developing infection. Funds were appropriated for this purpose by Public Law 102–170.

The PHS is committed to achieving the health promotion and disease prevention objectives of Healthy People 2000, a PHS national activity for setting priority areas. The pediatric AIDS Health Care Demonstration grant program directly addresses the Healthy People 2000 objectives related to the priority area of HIV infection. Potential applicants may obtain a copy of Healthy People 2000 (Full Report; Stock Number 017–001–0474–0) or Healthy People 2000 (Summary Report: Stock No. 017–001–00473–1) through the Superintendent of Documents, Government Printing Office, Washington, DC 20402–9325 (telephone 202–783–3238).

DATES: The deadline for receipt of applications is April 27, 1992. Applications shall be considered as meeting the deadline if they are either: (1) Received by the Grants Management Branch at the address below on or before the deadline date; or (2) postmarked on or before the deadline

date, and received in time for submission to the review group. Applicants must obtain a legibly dated U.S. Postal Service postmark or a legibly dated receipt from a commercial carrier or U.S. Postal Service. Private metered postmarks shall not be acceptable as proof of timely mailing. Grant applications received after the deadline date are subject to being returned to the applicant.

Applicants will be notified of grant awards in July 1992. Project periods of grantees begin August 1, 1992.

FOR FURTHER INFORMATION CONTACT: Additional information relating to technical and program issues may be obtained from: Beth Roy, Division of Services for Children with Special Health Needs, Maternal and Child Health Bureau, Health Resources and Services Administration, room 18A–19, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, telephone (301) 443–9051.

Grant applications and additional information regarding business, administrative or fiscal issues related to the awarding of grants under this notice may be requested from: Chief, Grants Management Branch, Maternal and Child Health Bureau, Health Resources and Services Administration, room 18–12, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, 301–443–1440. The completed application must be submitted to the Grants Management Officer.

SUPPLEMENTARY INFORMATION:

Program Background and Objectives

Through September 1991, the Centers for Disease Control (CDC) have received reports of 195,718 cases of AIDS. Of these, 3,312 have been infants and children 0–12 years of age and 751 have been adolescents 13–19 years of age, and the number of new cases of AIDS among children is up 48 percent since 1989. Approximately one-half of the known cases in this pediatric population have died. Minority children comprise the vast majority of pediatric AIDS cases; 50 percent of cases are black and 24 percent are Hispanic. In addition, more than half of the hemophilia population has been exposed to HIV because of their reliance on blood products which were not tested for HIV antibody prior to May 1985, with the result that children with hemophilia ages 13–19 comprise 30 percent of all AIDS cases in that age group.

The cost of providing a full range of services in the pediatric population with AIDS is high, largely reflecting the long periods of high-cost hospitalization these children may experience. It has been MCHB's experience with other populations of children with complex health care needs that comprehensive, coordinated approaches to care in ambulatory community-based settings result in shorter hospital stays, thus tending to reduce medical costs. The Pediatric AIDS Demonstration Projects will address the incidence and cost of HIV/AIDS infection in children, youth, women, and families within the context of family-centered, community-based, coordinated systems of care that include outreach and support services.

The escalation in the number of women of childbearing age who have HIV infection has, through perinatal transmission, increased pediatric AIDS to epidemic proportions. The CDC has reported that from an estimated 18 cases in 1980, the number of AIDS cases in women between the ages 20–40 has increased to 14,427 cases as of September 1991. Acquired Immunodeficiency Syndrome is now one of the five leading causes of death among this age group. Faced with their own illness, many women must also be caregivers to HIV/AIDS-infected infants and mates. As more women become incapacitated or die, more children are orphaned, compounding the devastation of families. The Pediatric AIDS Demonstration Projects should develop family-centered, community-based, coordinated systems of care which will address problems confronting women with HIV/AIDS infection, such as access to comprehensive drug abuse treatment, access to needed health and supportive services, and access to clinical research trials that show therapeutic promise. The number of persons with HIV infection involved in clinical trials versus the number of people eligible for clinical trials is small. Women and children, especially minorities, are underrepresented in federally financed trials, although efforts are being made to involve them in such research. This limits access to experimental therapies as well as the basic health care services that many receive only through participation in trials. The projects must collaborate with federally-financed clinical trials located in their geographical areas in order to make such research accessible to more women and children.

Pediatric AIDS Demonstration Projects, initiated in 1988, are designed to further the coordination of services for children, youth, women, and families affected by the HIV infection, AIDS or related conditions, or those at risk for developing the HIV infection. This coordination includes those activites supporte by Title V of the Social Security Act, the existing Pediatric AIDS Health Care Demonstration Projects previously funded by MCHB, the established network of hemophilia treatment centers, and other departmental AIDS activities, particularly those funded under Title XXVI of the Public Health Service Act, known as the Ryan White C.A.R.E. Act. The comprehensive system of services for children, youth, women, and families affected by the HIV should be interwoven with the existing service and financing programs, including Medicaid, that generally serve children and families with special health care needs.

Purpose

The purpose of the funding is to improve and expand the system of comprehensive care services for children, youth, women, and families who are affected by the HIV and AIDS or are at risk. With funds authorized and appropriated under Public Law 102–170, the program will support innovative strategies and modes of service delivery to respond to the multiple problems arising from the epidemic of HIV infection and AIDS affecting children, youth, women, and families. Activities under the demonstration grants should address the following goals:

—Foster the development of comprehensive care systems that provide family-centered, community-based, coordinated care.
—Emphasize prevention within the comprehensive care system in order to reduce the spread of the HIV infection to vulnerable populations, especially minorities and adolescents.
—Increase the access of HIV-infected children, youth, women, and their families to comprehensive care services.
—Ensure the delivery of high quality care with an emphasis on ambulatory care services that may reduce unnecessary hospital stays.
—Sustain comprehensive care systems for HIV-infected children through appropriate financing mechanisms.

Funding Categories

Two categories of projects will be funded in FY 1992. Applications which do not fall within these program categories will not be considered. The first category of projects, the Pediatric AIDS Health Care Demonstration Projects, initiated in 1988, must (1) develope, organize, deliver, and arrange for culturally-relevant, community-based, family-centered, coordinated services to children, youth, women, and families affected by HIV; and (2) develop prevention programs to reduce perinatal transmission and the spread of

the infection to vulnerable populations, especially, minorities and adolescents. The projects should serve as models for other communities and should identify and coordinate the range of resources needed to provide appropriate and effective care to the target population of children, youth, women, and families affected by the HIV infection. These projects will focus on local capacity-building, making maximum use of all available public and private resources for reaching and providing health care and supportive services to the target population. These include other appropriate Federal, State, and local programs serving children with special health care needs (e.g., Medicaid, developmental disabilities, special education) and providers, payers, organizations, and support groups in the private sector with a similar focus.

Preference for funding under the Pediatric AIDS Health Care Demonostration Projects will be given to competing renewal projects that demonstrate an established model of family-centered, community-based, coordinated system of care that serve children, youth, women, and families affected by the HIV infection. This means that these projects will be funded ahead of other groups of applications in this category. Special consideration will be given to all applicants that provide HIV/AIDS services to the unserved or underserved target population. This means that merit reviewers will assign scores based on the extent to which applicants address this area of program interest.

A second category of projects is an initiative that should expand the capability of the Network of Hemophilia Treatment Centers to provide pediatric and family HIV/AIDS services to unserved or underserved HIV/AIDS affected populations. The devastating impact of HIV/AIDS on children and families with hemophilia has required the hemophilia treatment centers to expand their capacity to provide HIV medical services in addition to the ongoing provision of hemophilia comprehensive care services. As a result, hemophilia treatment centers have become a valuable resource within States and communities to provide care for children and youth with hemophilia who are HIV infected and have the potential to serve as a resource for the broader population of HIV affected children and families.

Funding to expand the efforts of the hemophilia treatment center network must be directed to expanding capacity to provide family-centered, community-based, coordinated services to unserved or underserved children and youth with hemophilia and other children and families affected with HIV/AIDS, especially minority populations. The funding must provide support to hemophilia center networks in geographic areas where the impact on HIV/AIDS-infected children with hemophilia has resulted in needs for an unserved or underserved population. In addition, funds should be used to expand the capability of hemophilia treatment centers to serve HIV-infected children and youth without hemophilia in geographic areas where no current services exist, such as in rural areas, or in areas where children and youth are currently underserved. This initiative should include efforts to increase the level of coordination and integration between the hemophilia treatment network and other programs serving children and families in the service area.

Special consideration under the second category will be given to those hemophilia treatment centers that provide pediatric and family HIV/AIDS services to the unserved or underserved population affected by the epidemic.

Availability of Funds

Approximately $19.4 million is available for Pediatric AIDS Health Care Demonstration Projects, of which approximately $3 million will be available for competing renewals and new competitive grants applications. We estimate that approximately $2.6 millions is available for applications in category (1), and it is anticipated that up to five grants will be awarded in this category. For category (2), approximately $400,000 is available, and it is anticipated that up to four grants will be awarded.

Special Concerns

Pediatric AIDS Health Care Demonstration Programs grantees supported by HRSA should coordinate their projects with the Federal, State and local governments concerned with AIDS, including but not limited to: (1) Title V programs: Maternal and Child Health Services Block Grants, including Hemophilia Services Projects, and other relevant Special Projects of Regional and National Significance grants under Title V; (2) HRSA activities and programs funded under authority of the Ryan White C.A.R.E. Act; (3) Healthy Start projects to reduce infant mortality in the communities where such projects are in operation (Aberdeen Area Indian Reservation communities, Baltimore, Maryland; Birmingham, Alabama; Boston, Massachusetts; Chicago, Illinois; Cleveland, Ohio; Detroit, Michigan; Lake County, Indiana; New Orleans, Louisiana; New York, New York; Oakland, California; Philadelphia, Pennsylvania; Pittsburgh, Pennsylvania; Pee Dee Regions, South Carolina; and Washington, DC); (4) Community Health Centers and Migrant Health Centers; (5) CDC HIV/AIDS prevention activities; (6) Medicaid; (7) the education, outreach, treatment, and prevention programs of the Alcohol, Drug Abuse, and Mental Health Administration, including the Office for Treatment Improvement, Office of Substance Abuse Prevention, and the National Insitute of Drug Abuse, especially those concerned with injecting drug users, their sexual partners and prostitutes; (8) HRSA Education Training Centers Grants; (9) grants concerned with mothers and children funded by the National Institute of Child Health and Human Development, National Institutes of Health (NIH); (10) the clinical drug trails or other relevant research conducted by other institutes of the NIH, such as the NIAID Clinical Trails Groups, NIAID Community Programs for Clinical Research on AIDS, and the General Clinical Research Centers; and (11) descretionary grants by the Administration for Children and Families to demonstrate innovative approaches to providing child welfare services for infants with AIDS.

To the maximum extent possible HRSA's Pediatric AIDS Health Care Demonstration Program grantees also should work closely with community-based AIDS service organizations, local AIDS service activities supported by the Robert Wood Johnson Foundation, or other foundations and organizations with AIDS activities. All grantees located in the 18 high priority metropolitan areas that presently meet the eligibility standard of 2601(a) of the PHS Act, as identified in the Ryan White C.A.R.E. Act should seek representation on the C.A.R.E. Planning Councils, either as individual grantees or through agency representation.

The NIH supports a number of studies involving women and children with HIV infection. It is especially important that the Pediatric AIDS Health Care Demonstration and the Hemophilia Treatment Center Network Projects located in the same geographic areas as the research studies facilitate appropriate access to the studies for the women and children they serve.

The MCHB places special emphasis on improving service delivery to women and children from culturally identifiable populations who have been disproportionately affected by barriers to accessible care. This means that Pediatric Health Care Demonstration

projects are expected to serve and appropriately involve in project activities members of ethno-culturally distinct groups, unless there are compelling programmatic or other justification for not including either women or persons from culturally disinct populations. The Bureau's intent is to insure the project interventions and outcomes are of benefit to culturally distinct populations and to insure that the broadest possible representation of culturally distinct and historically under-represented groups is supported through programs and projects sponsored by the MCHB.

Consistent with the statutory purpose and with particular attention to inclusion of women and persons from culturally distinct populations, the Department will review applications for funds under the above mentioned categories as competing applications and will fund those which, in the Department's view, best meet the purposes of the Pediatric Health Care Demonstration program and address achievement of the Healthy People 2000 objectives related to HIV infection.

Eligible Applicants

Public and nonprofit and for-profit private entities are eligible to apply for these grant awards. Eligible entities include public or private hospitals, university medical centers, State or local health departments including drug abuse treatment agencies, health care and community organizations. Eligible applicants for the second funding category, the hemophilia demonstration initiative, will be limited to established hemophilia treatment centers.

Review Criteria

Grant applications will be reviewed and rated by objective review panels using the following review criteria.

—Severity of need—documentation of the impact of HIV/AIDS on children, youth, women, and families in the service area including: identification of HIV risk factors, description of trends in the HIV epidemic, and determination and documentation of unmet service needs.
—Applicant's ability to demonstrate an organized comprehensive system of family-centered, community-based, coordinated care. Documentation of collaboration/coordination with appropriate community agencies and providers, particularly Title V, Ryan White, and Healthy Start agencies.
—1992 Goals, Objectives, and Activities—clear delineation of goals and objectives with a timeline for proposed activities. The 1992 plan must be consistent with the Hemophilia and Pediatric AIDS Program goals and address the needs identified in the needs assessment.
—Reporting and evaluation requirements—adequacy of the strategy and proposed steps to implement a data and evaluation system and to use the information collected for program planning and management.
—Organizational structure and setting necessary to implement the proposed goals and objectives.
—Budget justification based on project methodology and required resources.
—For competing renewal applications, adequate documentation of progress related to meeting goals and objectives of the current project period.

Allowable Costs

The basis for determining if costs charged to PHS grants are allowable or allocable is set forth in 45 CFR part 74, subpart Q and 45 CFR part 92 for State and local governments. These regulations implement the five separate sets of cost principles prescribed for grant recipients, which are: OMB circular A–87 for State and local governments; OMB circular A–21 for insititutions of higher education; 45 CFR part 74, appendix E for hospitals; OMB circular A–122 for nonprofit organizations; and 48 CFR chapater 1, subpart 31.2 for for-profit (commercial) organizations. All sources of funding to support this project must be accurately reflected in the applicant's budget.

Reporting Requirements

A successful applicant under this notice will submit reports in accordance with the provisions of the general regulations which apply under 45 CFR part 74, subpart J, Monitoring and Reporting of Program Performance, with the exception of State and local governments to which 45 CFR part 92, subpart C reporting requirements will apply. Financial reporting will be required in accordance with 45 CFR part 74, subpart H, with the exception of State and local governments, to which 45 CFR 92.20 will apply.

Executive Order 12372

The Pediatric AIDS Health Care Demonstration Program has been determined to be a program which is subject to the provisions of Executive Order 12372 concerning intergovernmental review of Federal programs by appropriate health planning agencies, as implemented by 45 CFR part 100. Executive Order 12372 allows States the option of setting up a system for reviewing applications from within their States for assistance under certain Federal programs. The application packages to be made available under this notice (Form PHS 5161–1 with revised face sheet HHS Form 424 and with Program Narrative and Checklist approved under OMB 0937–0189) will contain a listing of States which have chosen to set up such a review system and will provide a single point of contact (SPOC) in the States for review. Applicants (other than federally-recognized Indian tribal governments) should contact their State SPOCs as early as possible to alert them to the prospective applications and receive any necessary instructions on the State process. For proposed projects serving more than one State, the applicant is advised to contact the SPOC of each affected State. The due date for State process recommendations is 60 days after the application deadline for new and competing awards. The granting agency does not guarantee to "accommodate or explain" for State process recommendations it receives after that date. (See part 148, Intergovernmental Review of PHS Programs under Executive Order 12372 and 45 CFR part 100 for a description of the review process and requirements.)

(The OMB Catalog of Federal Domestic Assistance number for the Pediatric AIDS Health Care Demonstration Program is 93.153.)

Dated: January 9, 1992.

Robert G. Harmon,

Administrator.

[FR Doc. 92–5996 Filed 3–13–92; 8:45 am]

BILLING CODE 4165–15–M

Public Health Service

Reestablishment of Advisory Committee on Scientific Integrity, Public Health Service; Correction

The Notice published on page 6730 in the **Federal Register** issue of February 27, 1992, concerning the reestablishment of the Advisory Committee on Scientific Integrity, inadvertently indicated that this Committee would, unless appropriately renewed, terminate on February 20, 1995. This date was inaccurate. The Advisory Committee on Scientific Integrity will terminate on December 2, 1993, unless appropriately renewed.

Dated: March 10, 1992.

John Gallivan,

PHS Regulations Officer.

[FR Doc. 92–6052 Filed 3–13–92; 8:45 am]

BILLING CODE 4160–17–M

Health Resources and Services Administration; Statement of Organizations, Functions and Delegations of Authority

Part H, Chapter HB (Health Resources and Services Administration) of the Statement of Organization, Functions, and Delegations of Authority of the Department of Health and Human Services (47 FR 38409–24, August 31, 1982, as amended most recently at 56 FR 65739, December 18, 1991), is amended to reflect the redescription of the Office of Health Professions Analysis and Research (formerly the Office of Data Analysis and Management), Bureau of Health Professions and the Office of Program Support, Bureau of Health Professions.

Under Section HB–10, Organization and Functions, amend the following:

(1) Delete the Office of Data Analysis and Management (HBP15) in its entirety.

(2) Add the following statement in its place:

Office of Health Professions Analysis and Research (HBP15). Serves as the Bureau focal point for health professions data analytical studies, policy analysis, modeling, education research, technical assistance, and information resource management. Specifically: (1) Provides policy guidance and technical support and advice to the Office of the Director in the establishment and conduct of a cohesive and comprehensive Bureau analytical program involving both intramural and contract activities; (2) provides technical expertise to all Bureau components on methodologies for data collection, data development, forecasting, data analysis, and interpretation; (3) develops and conducts research on data collection and analytic methodologies, economic forecasting, and health personnel systems modeling, both intramurally and through contracts; (4) coordinates and provides leadership in the development of a health professions educational research program; (5) serves as the Bureau focal point for information resource management, including the planning and implementation of all ADP, word processing and telecommunication equipment and systems; (6) provides technical and other assistance and expertise to other Bureau components for the purpose of modifying, refining, updating, and developing health professions forecasting models employed in the preparation of forecasts and reports; (7) plans, coordinates, and reviews the development of health professions reports and studies which involve cross-discipline analysis or multiple Bureau components in their preparation; (8) develops, plans for, assembles, coordinates and directs ad hoc task forces consisting of various Bureau components for planning and completing multi-discipline and cross-cutting studies, surveys, fact books and black books, and major reports on health professions for the Bureau, Agency, Department, and others; (9) prepares technical reviews and data policy impact analyses of health professions studies, reports, and activities performed by other Bureau and non-Bureau components; (10) maintains the Bureau computerized health professions analytic data bases and data base systems and maintains and develops associated software systems for managing and accessing the data base, through use of intramural and contract mechanisms. Compiles, integrates, coordinates and provides to non-Bureau organizations data collected and compiled by the Office, other Bureau components and sources outside the Bureau into the Bureau analytic and information data bases, and provides technical assistance to other Bureau components to aid them in accessing and utilizing the data base in their program activities; (11) maintains and updates the bureau's computerized program information system, and maintains and develops associated software systems for managing and accessing the system, through both intramural and contract activities. Prepares program management reports and provides technical consultation and assistance to Bureau and Agency staff as well as congressional, academic, research, and other private and public organizations concerning Bureau program data; and (12) maintains liaison with governmental, professional, voluntary, and other public and private organizations, institutions and groups for the purpose of providing information exchange and assessing health professions data availability and needs related to cross-cutting Bureau activities.

(3) Amend the Office of Program Support (HBP12) by adding an "and" after item number (11), changing the semicolon to a period after item number (12), and deleting item number (13) in its entirety.

These organizational and functional changes are effective upon date of signature.

Dated: February 26, 1992.

Robert G. Harmon,

Administrator, HRSA.

[FR Doc. 92–5995 Filed 3–13–92; 8:45 am]

BILLING CODE 4160–15–M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CO–010–02–4320–02]

Craig Colorado Advisory Council Meeting

Time and Date: 9 a.m., April 22, 1992.

Place: BLM—Craig District Office, 455 Emerson Street, Craig, Colorado 81625.

Status: Open to public; interested persons may make oral statements at 9:30 a.m. Summary minutes of the meeting will be maintained in the Craig District Office.

Matters to be Considered:

1. Making plans to honor past Council members and permittees.
2. "People For The West".
3. Field trip to Trapper Mine and Cedar Mountain.

CONTACT PERSON FOR MORE INFORMATION: Mary Pressley, Craig District Office, 455 Emerson Street, Craig, Colorado 81625–1129, Phone: (303) 824–8261.

Dated: March 6, 1992.

William J. Pulford,

District Manager.

[FR Doc. 92–6001 Filed 3–13–92; 8:45 am]

BILLING CODE 4310–JB–M

Fish and Wildlife Service

Availability of the Draft Environmental Assessment and Land Protection Plan; Proposed Establishment of Mandalay National Wildlife Refuge; Terrebonne Parish, LA

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of withdrawal for the Draft Environmental Assessment and Land Protection Plan for the proposed establishment of Mandalay National Wildlife Refuge.

SUMMARY: The above notice was prematurely published on February 28, 1992, at 57 FR 6847, and is hereby withdrawn. A new notice will be published at an appropriate date in the future.

DATES: The withdrawal of the notice is effective March 16, 1992.

ADDRESSES: For further information please contact Mr. Charles R. Danner, Chief, Project Development Branch, U.S. Fish and Wildlife Service, 75 Spring Street SW., Atlanta, Georgia 30303, commerical 404/331–3543 or FTS 841–3543.

Dated: March 9, 1992.

Harold W. Benson,

Acting Regional Director

[FR Doc. 92-6033 Filed 3-13-92; 8:45 am]

BILLING CODE 4310-55-M

National Park Service

Willow Beach Development Concept Plan, Lake Mead National Recreation Area, Arizona and Nevada; Intent To Prepare an Environmental Impact Statement

SUMMARY: The National Park Service will prepare a Supplemental Environmental Impact Statement (EIS) to the General Management Plan/Final Environmental Impact Statement (GMP/FEIS) for the Lake Mead National Recreation Area, in conjunction with an amended Development Concept Plan (DCP) for Willow Beach on the Arizona side of Lake Mohave. This notice is in accordance with 40 CFR 1501.7 and 40 CFR 1508.22, of the regulations of the President's Council on Environmental Quality for the National Environmental Policy Act of 1969, Public Law 91-150. The DCP/Supplemental EIS will describe and analyze a proposal and alternative for the future development of this portion of the national recreation area.

Background

A DCP for Willow Beach was contained in the 1986 GMP/FEIS for the national recreation area. The DCP addressed conceptually the location and extent of facilities and services. Since that time, additional flood plain mitigation analysis, hydrology and geological information require that the configuration and location of facilities be adjusted for safety and sanitation as well as service to visitors. As amended DCP and supplemental environmental impact statement is being prepared to address potential impacts from relocation and modification of facilities.

Any persons or organizations wishing to provide comments concerning the planning for Willow Beach, should do so in writing to: Superintendent, Lake Mead National Recreation Area, 601 Nevada Highway, Boulder City, NV 89005, telephone (702) 293-8947. Comments concerning the scope of the DCP/Supplemental EIS should be received by April 30, 1992.

The responsible official is Stanley T Albright, Regional Director, Western Region, National Park Service. The draft DCP/Supplemental EIS is expected to be available for public review in fall, 1992, and the final DCP/Supplemental EIS and Record of Decision completed approximately one year

Dated: March 9, 1992.

Louis S. Albert,

Deputy Regional Director, Western Region.

[FR Doc. 92-6078 Filed 3-13-92; 8:45 am]

BILLING CODE 4310-70-M

INTERSTATE COMMERCE COMMISION

[Finance Docket No. 32027]

Duluth, Missabe and Iron Range Railway Co.—Trackage Rights Exemption—Burlington Northern Railroad Co.

Burlington Northern Railroad Company (BN) has agreed to grant overhead trackage rights to Duluth, Missabe and Iron Range Railway Company (DM&IR) over approximately 7,861 feet of rail line at Duluth, MN, between Union Depot (5th Avenue West) and Missabe Junction (28th Avenue West). The exemption became effective on March 3, 1992.

This notice is filed under 49 CFR 1180.2(d)(7). Petitions to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to revoke will not stay the transaction. Pleadings must be filed with the Commission and served on: K.J. Gallagher, Duluth, Missabe and Iron Range Railway Company, P.O. Box 68, 135 Jamison Lane, Monroeville, PA 15146.

As a condition to the use of this exemption, any employees adversely affected by the trackage rights will be protected under *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

Dated: March 10, 1992.

By the Commission, David M. Konschnik, Director, Office of Proceedings.

Sidney L. Strickland, Jr.,

Secretary.

[FR Doc. 92-6047 Filed 3-13-92; 8:45 am]

BILLING CODE 7035-01-M

INTERSTATE COMMERCE COMMISSION

[Docket No. AB-359]

Fore River Railroad Corp., Discontinuance of Service Exemption, Norfolk County, MA; Findings

The Commission has issued a certificate authorizing Fore River Railroad Corporation to discontinue the lease of a 3.76-mile rail line between Quincy, MA, and an interchange with Consolidated Rail Corporation (Conrail) at East Braintree, MA, in Norfolk Country, MA. The certificate will become effective 14 days after this publication unless the Commission also finds that: (1) A financially responsible person has offered fianancial assistance (through subsidy or purchase) to enable the rail service to be continued; and (2) it is likely that the assistance would fully compensate the railroad.

Any financial assistance offer must be filed with the Commission and the applicant no later than 10 days from publication of this Notice. The following notation shall be typed in bold face on the lower left-hand corner of the envelope containing the offer: "Rail Section, AB-OFA." Any offer previously made must be remade within this 10-day period.

Information and procedures regarding financial assistance for continued rail service are contained in 49 U.S.C. 10905 and 49 CFR 1152.27.

Decided: March 10, 1992.

By the Commission, Chairman Philbin, Vice Chairman McDonald, Commissioners Simmons, Phillips, and Emmett.

Sidney L. Strickland, Jr.,

Secretary.

[FR Doc. 92-6073 Filed 3-13-92; 8:45 am]

BILLING CODE 7035-01-M

JUDICIAL CONFERENCE OF THE UNITED STATES

Advisory Committee on Appellate Rules; Open Hearing

AGENCY: Judicial Conference of the United States.

SUBAGENCY: Advisory Committee on Rules of Appellate Procedure.

ACTION: Notice of open hearing.

SUMMARY: The Judicial Conference Advisory Committee on the Appellate Rules has proposed amendments to Rules 3(c) and 15 (a) and (e) of the Federal Rules of Appellate Procedure.

The Judicial Conference Standing Committee on Rules of Practice and Procedure has not approved these proposals but submits them herewith for expedited public comment. We request that all comments and suggestions with respect to them be placed in the hands of the Secretary as soon as convenient and, in any event, no later than May 11, 1992.

In order that persons and organizations wishing to do so may comment orally on the proposed amendments, a hearing will be held by the Advisory Committee on Appellate

Rules at the United States Court of Appeals in Chicago, Illinois, on April 8, 1992. Those wishing to testify should contact the Secretary of the Committee at the above address at least 10 days before the hearing.

All communications with respect to the proposals should be addressed to the Secretary of the Committee on Rules of Practice and Procedure, Administrative Office of the United States Courts, Washington, DC 20544.

DATE OF HEARING: April 8, 1992.

ADDRESS: United States Court of Appeals, 219 South Dearborn Street, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Joseph F. Spaniol, Jr., Secretary, Committee on Rules of Practice and Procedure, Washington, DC 20544, telephone (202) 633–6021.

Dated: March 6, 1992.

Joseph F. Spaniol, Jr.,

Secretary, Committee on Rules of Practice and Procedure.

[FR Doc. 92–6021 Filed 3–13–92; 8:45 am]

BILLING CODE 2210–01–M

DEPARTMENT OF JUSTICE

Lodging of Consent Decree Pursuant to the Clean Water Act

In accordance with Departmental policy at 28 CFR 50.7, notice is hereby given that on March 5, 1992, a proposed consent decree in *United States* v. *CPS Chemical Company, Inc.*, Civil Action No. J–C–90–43, was lodged with the United States District Court for the Eastern District of Arkansas. The complaint filed by the United States sought injunctive relief and civil penalties for violations by defendant CPS Chemical Company, Inc. (CPS) of sections 301 and 402 of the Clean Water Act and the terms and conditions of its National Pollutant Discharge Elimination System (NPDES) permit issued by the U.S. Environmental Protection Agency (EPA) in 1984, and the terms of five administrative orders issued by EPA during the life of the 1984 permit. The proposed consent decree imposes a $1 million penalty for these violations.

For a period of thirty (30) days from the date of this publication, the Department of Justice will receive written comments relating to the proposed consent decree from persons who are not parties to the action. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources # 90–5–1–1–3270.

The proposed consent decree may be examined at the offices of the United States Attorney for the Eastern District of Arkansas, 327 Post Office and Courthouse Building, 600 West Capitol, Little Rock, Arkansas 72203, and at the office of the United States Environmental Protection Agency, Region VI, 1445 Ross Avenue, Dallas, Texas 75202 (Attention: Ralph Corley, Assistant Regional Counsel). A copy of the consent decree may also be examined at the Environmental Enforcement Section Document Center, 601 Pennsylvania Avenue, NW., Washington, DC 20004. Copies of the decree may be obtained in person or by mail from the Environmental Enforcement Section Document Center. Such requests should be accompanied by a check in the amount of $2.00 (25 cents per page reproduction charge) payable to "Consent Decree Library". When requesting copies, please refer to *United States* v. *CPS Chemical Company, Inc.*, DOJ # 90–5–1–1–3270.

Roger Clegg,

Acting Assistant Attorney General, Environment and Natural Resources Division.

[FR Doc. 92–6035 Filed 3–13–92; 8:45 am]

BILLING CODE 4410–01–M

Lodging of Consent Decree Pursuant to the Comprehensive Environmental Respose, Compensation, and Liability Act of 1980

In accordance with Departmental policy, 28 CFR 50.7, and 42 U.S.C. 9622(i), notice is hereby given that on March 2, 1992, a proposed consent decree in *United States of America* v *City of Portsmouth, et al.*, Civil Action No. 92–123–D, has been lodged with the United States District Court for the District of New Hampshire. The United States' complaint, filed at the same time as the consent decree, sought recovery of response costs and injunctive relief relating to source control at the Coakley Landfill Site in the Town of North Hampton, New Hampshire under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9606 and 9607, against the City of Portsmouth, New Hampshire, and 30 other entities responsible for hazardous substances found at that site, which is a National Priorities List facility.

The consent decree provides that the settling Defendants will perform the remedial actions selected in the first operable unit Record of Decision dated June 28, 1990, as revised by the Explanation of Significant Differences dated March 22, 1991, issued by the U.S. Environmental Protection Agency (EPA), and reimburse EPA up to $450,000 for costs to be incurred by the United States in connection with oversight of the implementation of the remedial actions. The remedial work will include installing a multi-layer cap over the landfill, installing and operating a groundwater extraction system, constructing and operating a groundwater treatment system to remove metals and volatile organic compounds from extracted contaminated groundwater, and monitoring.

The Department of Justice will receive comments relating to the proposed consent decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States* v. *City of Portsmouth, et al.*, D.J. Ref. 90–11–2–678.

The proposed consent decree may be examined at the office of the United States Attorney, Federal Building, 55 Pleasant St. Concord, New Hampshire 03301 and at the Region I office of the Environmental Protection Agency, One Congress St., Boston, Massachusetts 02203. The proposed consent decree may also be examined at the Environmental Enforcement Section Document Center, 601 Pennsylvania Avenue, NW., Washington, DC 20004 (202–347–7829). A copy of the proposed consent decree may be obtained in person or by mail from the Environmental Enforcement Section Document Center, 601 Pennsylvania Avenue, NW., Box 1097, Washington, DC 20004. In requesting a copy, please enclose a check in the amount of $26.00 (25 cents per page reproduction cost, exclusive of the costs of copying the appendices and signature pages) payable to the "Consent Decree Library."

Barry M. Hartman,

Acting Assistant Attorney General, Environment & Natural Resources Division.

[FR Doc. 92–6037 Filed 3–13–92; 8:45 am]

BILLING CODE 4410–01–M

Lodging of Consent Decree Pursuant to the Clean Water Act

In accordance with Department policy, 28 CFR 50.7, notice is hereby given that on February 28, 1992 a proposed consent decree in *United States* v *Shenango, Inc.*, Civil Action No. 85–933, was lodged with the United States District Court for the Western District of Pennsylvania. The action was brought under sections 301(a), 309 (b)

and (d), and 402 of the Clean Water Act, 33 U.S.C. 1311(a), 1319 (b) and (d), and 1342, for unpermitted discharges of wastewater effluent from defendant's Neville Island steel production facility, located near Pittsburgh, Pennsylvania.

The proposed consent decree requires the defendant to pay civil penalties in the amount of $550,000.00. In addition, the consent decree requires the defendant to undertake remedial measures at the facility to control unpermitted wastewater discharges in order to achieve and maintain full compliance with the Clean Water Act and applicable regulations.

The Department of Justice will receive comments relating to the proposed consent decree for the period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States* v. *Shenango, Inc.*, DOJ Ref. No. 90–5–1–1–2327.

Copies of the proposed consent decree may be examined at the Office of the United States Attorney, Western District of Pennsylvania, 633 U.S. Post Office and Courthouse, Pittsburgh, Pennsylvania 15222. The proposed Consent Decreee may also be examined at the Environmental Enforcement Section Document Center, 601 Pennsylvania Ave., NW., Box 1097 Washington, DC 20004, (202) 347–7829. A copy of the proposed consent decree may be obtained in person or by mail from the Document Center. In requesting a copy, please enclose a check in the amount of $14.25 (25 cents per page reproduction costs) payable to Consent Decree Library.

Barry M. Hartman,

Acting Assistant Attorney General, Environment and Natural Resources Division.

[FR Doc. 92–6036 Filed 3–13–92; 8:45 am]

BILLING CODE 4410–01–M

Drug Enforcement Administration

Manufacturer of Controlled Substances; Application

Pursuant to § 1301.43(a) of Title 21 of the Code of Federal Regulations (CFR), this is notice that on January 27, 1992, Mallinckrodt Specialty Chemicals Company, Mallinckrodt & Second Streets, St. Louis, Missouri 63147, made application to the Drug Enforcement Administration (DEA) for registration as a bulk manufacturer of the basic classes of controlled substances listed below:

Drug	Schedule
Cocaine (9041)	II
Codeine (9050)	II
Diprenorphine (9058)	II
Etorphine Hydrochloride (9059)	II
Dihydrocodeine (9120)	II
Oxycodone (9143)	II
Hydromorphone (9150)	II
Diphenoxylate (9170)	II
Hydrocodone (9193)	II
Levorphanol (9220)	II
Meperidine intermediate-A (9230)	II
Methadone (9250)	II
Methadone-intermediate (9254)	II
Dextropropoxyphene, bulk (non-dosage forms) (9273).	II
Morphine (93300)	II
Thebaine (9333)	II
Opium extracts (9610)	II
Opium fluid extract (9620)	II
Opium tincture (9630)	II
Opium, powdered (9639)	II
Opium, granulated (9640)	II
Oxymorphone (9652)	II
Alfentanil (9737)	II
Sufentanil (9740)	II
Fentanyl (9801)	II

Any other such applicant and any person who is presently registered with DEA to manufacture such substances may file comments or objections to the issuance of the above application and may also file a written request for a hearing thereon in accordance with 21 CFR 1301.54 and in the form prescribed by 21 CFR 1316.47.

Any such comments, objections or requests for a hearing may be addressed to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, United States Department of Justice, Washington, DC 20537, Attention: DEA Federal Register Representative (CCR), and must be filed no later than April 15, 1992.

Dated: March 5, 1992.

Gene R. Haislip,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 92–6004 Filed 3–13–92; 8:45 am]

BILLING CODE 4410–09–M

Manufacturer of Controlled Substances; Application

Pursuant to § 1301.43(a) of title 21 of the Code of Federal Regulations (CFR), this is notice that on November 15, 1991, UpJohn Company, 7171 Portage Road, Kalamazoo, Michigan 49001, made written request to the Drug Enforcement Administration (DEA) for registration as a bulk manufacturer of the Schedule I controlled substance 2,5-Dimethoxyamphetamine (7396).

Any other such applicant and any person who is presently registered with DEA to manufacture such substances may file comments or objections to the issuance of the above application and may also file a written request for a hearing thereon in accordance with 21 CFR 1301.54 and in the form prescribed by 21 CFR 1316.47.

Any such comments, objections or requests for a hearing may be addressed to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, United States Department of Justice, Washington, DC 20537, Attention: DEA Federal Register Representative (CCR), and must be filed no later than April 15, 1992.

Dated: March 5, 1992.

Gene R. Haislip,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 92–6005 Filed 3–13–92; 8:45 am]

BILLING CODE 4410–09–M

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–26,500]

Anadrill/Schlumberger, Scott, LA; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 (19 U.S.C. 2273) as amended by the Omnibus Trade and Competitiveness Act of 1988 (Pub. L. 100–418), the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on December 20, 1991, applicable to all workers of Anadrill/Schlumberger in Scott, Louisiana. The certification notice was published in the **Federal Register** on January 9, 1992 (57 FR 932).

At the request of the State Agency the Department reviewed the subject certification. New information from the company shows that the claimants' wages are being reported under an employer account number which bears the name of the Analysts, Inc., a name the subject firm had over 5 years ago which has never been changed with the State Agency.

The amended notice applicable to TA–W–26,500 is hereby issued as follows:

All workers of Anadrill/Schlumberger, a/k/a The Analysts, Inc., Scott, Louisiana who became totally or partially separated from employment on or after January 1, 1991 are eligible to apply for adjustment

assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, DC, this March 6, 1992.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 92-6039 Filed 3-13-92; 8:45 am]

BILLING CODE 4510-30-M

[TA-W-26,075, et al.]

Oryx Energy Co., Dallas, TX, et al.; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In the matter of TA-W-26,076—Oryx Energy Co., Gulf Coast Production Region, Huston, Texas, and Operating at Various Locations in the Following States:
TA-W-26,076A—Texas
TA-W-26,076B—Mississippi
TA-W-26,076C—Louisiana

TA-W-26,077—Oryx Energy Co., Southwestern Production Region, Midland, Texas, TA-W-26,077A—Operating at Various Locations in Texas.

TA-W-26,078—Oryx Energy Co., Mid-Continent Production Region, Oklahoma City, Oklahoma, and Operating at Various Locations in the Following States:
TA-W-26,078A—Oklahoma
TA-W-26,078B—Colorado
TA-W-26,078C—New Mexico
TA-W-26,078D—California
TA-W-26,078E—Wyoming
TA-W-26,078F—Michigan
TA-W-26,078G—North Dakota
TA-W-26,078H—Kansas
TA-W-26,078I—Texas

In accordance with section 233 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on September 12, 1991, applicable to all workers of Oryx Energy Company, Dallas, Texas (TA-W-25,075); the Gulf Coast Production Region, Houston, Texas (TA-W-26,076) and operating at various locations in Texas, Louisiana and Mississippi (TA-W-26,076A-C); the Southwestern Production Region in Midland (TA-W-26,077) and the Mid-Continent Production Region, Oklahoma City, Oklahoma (TA-W-26,078) and operating at various other locations in Oklahoma, Colorado, New Mexico, California, Wyoming, Michigan, North Dakota and Kansas (TA-W-26,078A-H). The Notice was published in the **Federal Register** on October 2, 1991 (56 FR 49909).

At the request of the Texas Employment Commission, the Department reviewed the subject certification. New information from the company shows that worker separations occurred in other locations of Texas in the Southwestern Production Region of Oryx Energy Company and the layoffs are anticipated in other locations of Texas in the Mid-Continent Production Region of Oryx Energy Company.

The intent of the Department's certification is to include all workers of Oryx Energy Company who were adversely affected by increased imports of crude oil and natural gas.

The amended notice applicable to TA-W-26,075 through TA-W-26,078 is hereby issued as follows:

All workers of Oryx Energy Company, Dallas, Texas (TA-W-26,075); The Gulf Coast Production Region in Houston, Texas (TA-W-26,076) and operating at various locations in the following States: Texas, Mississippi, and Louisiana; the Southwestern Production Region in Midland, Texas (TA-W-26,077) and operating at various other locations in Texas; and the Mid-Continent Production Region in Oklahoma City, Oklahoma (TA-W-26,078) and operating at various other locations in Oklahoma, Colorado, New Mexico, California, Wyoming, Michigan, North Dakota, Kansas and Texas who become totally or partially separated from employment on or after July 31, 1991 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed in Washington, DC this March 6, 1992.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 92-6040 Filed 3-13-92; 8:45 am]

BILLING CODE 4510-30-M

[TA-W-26, 846]

Valerie Fashions, Inc., Wind Gap, PA; Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, an investigation was initiated on February 10, 1992 in response to a worker petition which was filed on behalf of workers at Valerie Fashions, Incorporated, Wind Gap, Pennsylvania.

The petitioner has requested that the petition be withdrawn. Consequently, further investigation in this case would serve no purpose; and the investigation has been terminated.

Signed at Washington, DC this 6th day of March 1992.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 92-6042 Filed 3-13-92; 8:45 am]

BILLING CODE 4510-30-M

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Arts

Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), as amended, notice is hereby given that a meeting of the Media Arts Advisory Panel (Film/Video Production Section) to the National Council on the Arts will be held on April 1, 1992 rom 9 a.m.-6 p.m. and April 2 from 9 a.m.-5:30 p.m. in room 716 at the Nancy Hanks Center, 1100 Pennsylvania Avenue, NW., Washington, DC 20506.

A portion of this meeting will be open to the public on April 2 from 4:30 p.m.-5:30 p.m. The topic will be policy discussion.

The remaining portions of this meeting on April 1 from 9 a.m.-6 p.m. and April 2 from 9 a.m.-4:30 p.m. are for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman of November 20, 1991, these sessions will be closed to the public pursuant to subsection (c)(4), (6) and (9)(B) of section 552b of Title 5, United States Code.

Any person may observe meetings, or portions thereof, of advisory panels which are open to the public, and may be permitted to participate in the panel's discussions at the discretion of the panel chairman with the approval of the full-time Federal employee in attendance.

If you need special accommodations due to disability, please contact the Office of Special Constituencies, National Endowment for the Arts, 1100 Pennsylvania Avenue, NW., Washington, DC 20506, 202/682-5532, TTY 202/682-5496, at least seven (7) days prior to the meeting.

Further information with reference to this meeting can be obtained from Ms. Yvonne M. Sabine, Advisory Committee Management Officer, National Endowment for the Arts, Washington, DC 20506, or call (202) 682-5433.

Martha Jones,

Acting Director, Council and Panel Operations, National Endowment for the Arts.

[FR Doc. 92-6038 Filed 3-13-92; 8:45 am]

BILLING CODE 7537-01-M

NUCLEAR REGULATORY COMMISSION

Documents Containing Reporting or Recordkeeping Requirements: Office of Management and Budget Review

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of the Office of Management and Budget review of information collection.

SUMMARY: The Nuclear Regulatory Commission (NRC) has recently submitted to the Office of Management and Budget (OMB) for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

1. *Type of submission, new, revision, or extension:* Revision.

2. *The title of the information collection:* 10 CFR part 72—Licensing Requirements for the Independent Storage of Spent Nuclear Fuel and High-Level Radioactive Waste.

3. *The form number if applicable:* Not applicable.

4. *How often the collection is required:* Required reports are collected and evaluated on a continuing basis as events occur. Applications for new licenses or amendments may be submitted at any time. Applications for renewal of licenses would be required every 20 years for an Independent Spent Fuel Storage Installation (ISFSI) and every 40 years for a Monitored Retrievable Storage (MRS) facility.

5. *Who will be required or asked to report:* Vendors of casks for the storage of spent fuel, licensees and applicants for a license to possess power reactor spent fuel and other radioactive materials associated with spent fuel storage in an ISFSI, and the Department of Energy for licenses to receive, transfer, package and possess power reactor spent fuel, high-level waste, and other radioactive materials associated with spent fuel and high-level waste storage in an MRS.

6. *An estimate of the number of responses:* 93.

7. *An estimate of the total number of hours needed to complete the requirement or request:* 165 hours annually per response and 756 hours annually for eight recordkeepers. The estimated annual industry burden is 21,431 hours.

8. *An indication of whether Section 3504(h), Pub. L. 96–511 applies:* Not applicable.

9. *Abstract:* 10 CFR part 72 establishes requirements, procedures, and criteria for the issuance of licenses to possess power reactor spent fuel and other radioactive materials associated with spent fuel storage, in an independent spent fuel storage installation, and requirements for the issuance of licenses to the Department of Energy to receive, transfer, package, and possess power reactor spent fuel and high-level radioactive waste, and other associated radioactive materials, in a monitored retrievable storage facility.

Copies of the submittal may be inspected or obtained for a fee from the NRC Public Document Room, 2120 L Street, NW. (Lower Level), Washington, DC.

Comments and questions may be directed by mail to the OMB reviewer: Ronald Minsk, Paperwork Reduction Project (3150–0132), Office of Information and Regulatory Affairs, NEOB–3019, Office of Management and Budget, Washington, DC 20503.

Comments may also be communicated by telephone at (202) 395–3084.

The NRC Clearance officer is Brenda Jo. Shelton, (301) 492–8132.

Dated at Bethesda, Maryland, this 4th day of March 1992.

For the Nuclear Regulatory Commission.

Gerald F. Cranford,

Designated Senior Official for Information Resources Management.

[FR Doc. 92–6055 Filed 3–13–92; 8:45 am]

BILLING CODE 7590–01–M

OFFICE OF PERSONNEL MANAGEMENT

Meeting

The Office of Personnel Management announces the following meeting:

Name: Federal Labor Advisory Group (FLAG).

Date and Time: April 21, 1992, 2 p.m.

Place: Office of Personnel Management, 1900 E Street, NW., room 5A06A, Washington, DC 20415–0001.

Type of Meeting: Open.

Point of Contact: Allan D. Heuerman, Assistant Director for Labor Relations and Workforce Performance, Personnel Systems and Oversight Group, Office of Personnel Management, 1900 E Street, NW., room 7412, Washington, DC 20415–0001.

Purpose of Meeting: To discuss members' views on status of Federal labor-management relations program.

Agenda: Introduction; group organization and administration; discussion; public input; closing.

Office of Personnel Management.

Constance Berry Newman,

Director.

[FR Doc. 92–5926 Filed 3–13–92; 8:45 am]

BILLING CODE 6325–01–M

RESOLUTION TRUST CORPORATION

Office of the Secretary

Privacy Act of 1974; System of Records

AGENCY: Resolution Trust Corporation.

ACTION: Notification of system of records.

SUMMARY: The Corporation is giving notice of a system of records it intends to maintain which is subject to the Privacy Act of 1974.

EFFECTIVE DATE: This proposal shall become effective without further notice on April 15, 1992, unless comments are received during or before that date which would result in a contrary determination.

ADDRESSES: Interested persons are invited to submit comments regarding this notice to the Secretary of the Resolution Trust Corporation (RTC or Corporation), 801 175h Street, NW., Washington, DC 20435–0001. Comments should refer to the above title. A copy of each comment received will be available for public inspection and copying between the hours of 9 am and 5 pm on regular business days at the RTC's Public Reading Room, room 100, 801 17th Street, NW., Washington, DC 20434–0001.

FOR FURTHER INFORMATION CONTACT: Richard White, Privacy Act Attorney, RTC, Office of the Secretary, International Place, 1735 North Lynn Street, Rosslyn, VA 22209. Telephone (703) 908–6137. (This is not a toll-free number)

SUPPLEMENTARY INFORMATION: The system is the FDIC/RTC Employee Financial Disclosure Statements System, RTC–2. It will contain information on current and former employees of the Federal Deposit Insurance Corporation (FDIC) who work for or who have worked for the RTC. The information in the system is collected pursuant to section 502 of Executive Order 12674 as amended by Executive Order 12731, the Federal Home Loan Bank Act of 1932, 12 U.S.C. 1441A(b), as amended and the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, 12 U.S.C. 1441p.

The information in the system will be used to determine if applicants for employment with the RTC or present employees of the FDIC who work for the RTC (FDIC/RTC employees) may have a conflict of interest with respect to the duties and responsibilities of their employment with the RTC and their or any of their family members' financial holdings, business interests, real estate

interests or outside employment or affiliations.

The system will also contain information on FDIC/RTC employees and their family members concerning extensions of credit, for secured or unsecured loans, from insured and non-insured depository institutions, and documentation relating to requests for approval of certain loans extended by insured depository institutions or affiliates thereof. Such information will be used to evaluate any possible conflict of interest the employee or any family member may have concerning a credit transaction and his/her employment with the FDIC/RTC.

The system will contain information on FDIC/RTC employees or their family members' ownership or control of any securities of insured depository institutions or affiliates thereof and any requests to purchase or retain present ownership of such securities. Such information is used to evaluate any possible conflict of interest resulting from the ownership and/or potential ownership of such securities and employment with the FDIC/RTC.

The system will contain information concerning an FDIC/RTC employee's prospective employment, the nature of the business of the prospective employer, the position the employee will occupy, the dates of negotiation for employment, and the employee's official involvement, if any, with the prospective employer. This information will be used to evaluate any possible conflict of interest between an employee's duties and responsibilities with FDIC/RTC and his/her prospective employment.

Finally, the system will contain an employee's acknowledgement of receiving FDIC/RTC standards of conduct training, including an affirmative acknowledgement of individual responsibility to adhere to the provisions of the standards of conduct.

Accordingly, the Corporation is establishing the following System of Records: FDIC/RTC Employee Financial Disclosure Statements System. RTC–2

RTC–2

SYSTEM NAME:

FDIC/RTC Employee Financial Disclosure Statements System. RTC–2.

SYSTEM LOCATION:

Confidential Statements of Employment and Finanical Interests, Reports of Interest in Bank Securities, Confidential Reports of Employment Upon Resignation, Employee Certification and Acknowledgement of FDIC/RTC Standards of Conduct Regulation, and any financial disclosure/conflict of interest or similar form required to be completed by the Office of Government Ethics, and related records are located in designated divisional, regional, or consolidated offices to which individuals covered by the system are assigned. Duplicate copies of the above records are maintained in the Office of Ethics and Protests, RTC, 801 17th Street, NW., Washington, DC 20434–0001, for the purpose of certification of review and resolution of conflicts of interest disclosed therein. Confidential Reports of Indebtedness and related records are located in the Office of Ethics. A list of the RTC's divisional, regional and consolidated offices is available from the RTC Reading Room, 801 17th Street, NW., Washington, DC 20434–0001, (202) 416–6940.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former Federal Deposit Insurance Corporation officers and employees who are working for or who have worked for the RTC, and special government employees required to file any of the following forms: (1) Confidential Statement of Employment and Financial Interests; (2) Confidential Report of Indebtedness; (3) Report of Interest in Bank Securities and Interest in RTC Decision; (4) Confidential Report of Employment Upon Resignation; and (5) Employee Certification and Acknowledgement of FDIC/RTC Standards of Conduct Regulation.

CATEGORIES OF RECORDS IN THE SYSTEM:

Information in this system includes data directly furnished by the individual on the following five forms or related records that may be generated in the course of the RTC's administration of Executive Orders 12674 and 12731 as amended or as superseded, and/or 12 CFR part 1605:

(1) Confidential Statement of Employment and Financial Interests—Contains statements of personal and family holdings, interests in business enterprises and real property, creditors, and outside employment.

(2) Confidential Report of Indebtedness—Contains information on extensions of credit (loans and credit cards) by insured and non-insured depository institutions and their affiliates; and may also contain memoranda and correspondence relating to requests for approval of certain loans extended by insured depository institutions or affiliates thereof.

(3) Report of Interest in Bank Securities and Interest in RTC Decision—Contains information on whether or not an employee owns or controls, directly or indirectly, any securities of insured depository institutions or affiliates thereof, and if so, lists specific securities, the nature and extent of such interests and the manner of acquisition, contains information on other outside interests which may have an impact on an employee's official duties, and may contain memoranda and correspondence relating to requests for approval of retention of securities of insured depository institutions by employees.

(4) Confidential Report of Employment Upon Resignation—Contains information as to the employee's prospective employer, the nature of the business or organization activities of the prospective employer, the position the employee will occupy, dates of negotiation for such employment, and the employee's official involvement, if any, with the prospective employer.

(5) Employee Certification and Acknowledgement of FDIC/RTC Standards of Conduct Regulation—Contains employee's certification and acknowledgement that he or she has received a copy of the standards of conduct, has viewed the FDIC/RTC Orientation Ethics Video, and has a positive responsibility to comply with the standards of conduct.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Section 502 of E.O. 12674, 3 CFR 215 (1989), as amended by E.O. 12731, 3 CFR 306 (1990); section 21A of the Federal Home Loan Bank Act of 1932 (12 U.S.C. 1441a(b)), as amended. The Financial Institutions Reform, Recovery, and Enforcement Act of 1989, 12 U.S.C. 1441(p).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Information in this system may be disclosed where the Director of the U.S. Office of Government Ethics or the RTC's Chief Executive Officer, or designee, determines that good cause has been shown for such use:

(1) To the appropriate federal, state, or local agency or authority responsible for investigating or procesuting a violation of or for enforcing or implementing a statute, rule, regulation, or order when the information indicates a violation or potential violation of law whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute or by regulation, rule, or order issued pursuant thereto.

(2) To a congressional office in response to an inquiry made at the request of the individual to whom the information pertains.

(3) To any source where necessary to obtain information relevant to a conflict-of-interest investigation or determination.

(4) To a court, magistrate, or administrative tribunal in the course of presenting evidence, including disclosures to counsel or witnesses in the course of civil discovery, litigation or settlement negotiations, or in connection with the criminal proceedings.

(5) To the United States Office of Personnel Managment, Office of Government Ethics, the Merit Systems Protection Board, the Office of the Special Counsel, the Federal Labor Relations Authority, an aribtrator, and the Equal Employment Opportunity Commission, to the extent disclosure is necessary to carry out the government-wide personnel management, investigatory, adjudicatory and appellate functions with their respective jurisdiction.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders in Office of Ethics and Protests and designated divisional, regional, or consolidated offices to which individuals covered by the system are located, and on an automated tracking system.

RETRIEVABILITY:

Indexed by name.

SAFEGUARDS:

Maintained in lockable metal file cabinets in lockable offices and, on a password-protected automated index system.

RETENTION AND DISPOSAL:

Retained for six years and then destroyed by shredding except when the documents are relevant and/or needed in an ongoing investigation they will be retained until no longer needed.

SYSTEM MANAGER(S) AND ADDRESS:

Ethics Program Manager (Employees), RTC, 801 17th Street, NW., Washington, DC 20434–0001.

NOTIFICATION PROCEDURE:

Requests must be in writing and addressed to the Office of the Secretary, RTC, International Place, 1735 North Lynn Street, Rosslyn, VA 22209. The request must contain the name and office of the individual covered by the system, and a notarized statement attesting to the individual's indentity may be required.

RECORD ACCESS PROCEDURE:

Same as "Notification" above.

CONTESTING RECORD PROCEDURES:

Same as "Notification" above.

RECORD SOURCE CATEGORIES:

The information is obtained from the individual on whom the record is maintained or a person designated by him or her and from the RTC's Ethics Program Manager (Employees) and support personnel. Information may also be obtained from the other parties to whom the RTC has supplied information in connection with evaluating the records maintained in the Employee Financial Disclosure Statements system.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

Dated at Washington, DC this 10th day of March 1992.

Resolution Trust Corporation.

John M. Buckley, Jr.,

Secretary.

[FR Doc. 92–5990 Filed 3–13–92; 8:45 am]

BILLING CODE 6714–01–M

SECURITIES AND EXCHANGE COMMISSION

Self-Regulatory Organizations; Applications for Unlisted Trading Privileges and of Opportunity for Hearing; Boston Stock Exchange, Incorporated

March 10, 1992.

The above named national securities exchange has filed applications with the Securities and Exchange Commission ("Commission") pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and rule 12f–1 thereunder for unlisted trading privileges in the following securities.

Coleman & Co., Inc.
Common Stock, $.01 Par Value (File No. 7–8183)

Callaway Golf Co.
Common Stock, $.01 Par Value (File No. 7–8184)

Musicland Stores Corp.
Common Stock, $.01 Par Value (File No. 7–8185)

Value Merchants, Inc.
Common Stock, $.01 Par Value (File No. 7–8186)

These securities are listed and registered on one or more other national securities exchange and are reported in the consolidated transaction reporting system.

Interested persons are invited to submit on or before March 31, 1992, written data, views and arguments concerning the above-referenced application. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, 450 5th Street, NW., Washington, DC 20549. Following this opportunity for hearing, the Commission will approve the application if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such applications are consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Jonathan G. Katz,

Secretary.

[FR Doc. 92–6064 Filed 3–13–91; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 34–30452; File No. SR–CBOE–92–07

Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by the Chicago Board Options Exchange, Inc., Relating to March 1992 Expiration Series for Capped OEX Options

March 6, 1992.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on February 21, 1992, The Chicago Board Options Exchange, Inc. ("CBOE" or "Exchange") filed with the Securities and Exchange Commission ("SEC" or "Commission") the proposed rule change as described in Items I, II and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Exchange Rule 24.9, Commentary .03(b), provides that the CBOE may list one at-the-money call and one at-the-money put capped-style option on the Standard & Poor's 100 Index ("OEX") with expirations of up to four months into the future. Commentary .03(b) also provides that additional at-the-money series with expirations of up to four months may be listed every two months. Accordingly, pursuant to Exchange Rule

24.9, the CBOE currently lists capped-style OEX options with April 1992 and June 1992 expirations. The CBOE proposes, on a limited basis, to modify Exchange Rule 24.9 to provide for an additional expiration month in OEX capped options so that there will be series with March, April and June 1992 expirations outstanding.

The text of the proposed rule change is available at the Office of the Secretary, CBOE and at the Commission.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it recieved on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

(1) Purpose

Exchange Rule 24.9, Commentary .03(b), provides that the CBOE may list one at-the-money call and one at-the-money put capped-style option on the Standard & Poor's 100 Index ("OEX") with expiration of up to four months into the future. Commentary .03(b) also provides that additional at-the-money series with expirations of up to four months may be listed every two months. Accordingly, pursuant to Exchange Rule 24.9, the CBOE currently lists capped OEX options with April 1992 and June 1992 expirations. Due to investor interest in capped OEX options, the CBOE proposes, on a limited basis, to modify Exchange Rule 24.9 to provide for an additional expiration month in OEX capped options so that there will be series with March, April and June 1992 expirations outstanding. With its filing, the CBOE has submitted a memorandum from the Options Price Reporting Authority ("OPRA") indicating that the addition of capped OEX options expiring in March 1992 will have a negligible impact on the capacity of OPRA and its vendors. [1]

(2) Basis

The CBOE believes that the proposal is consistent with section 6(b) of the Act, in general, and furthers the objectives of Section 6(b)(5), in particular, in that it is designed to protect investors and the public interest.

(B) Self-Regulatory Organization's Statement on Burden on Competition

The CBOE does not believe that the proposed rule change will impose any inappropriate burden on competition.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change constitutes a state policy, practice or interpretation with respect to the administration of an existing CBOE rule. The Commission notes that the CBOE's rules provide the Exchange with some discretion to add additional expiration months. The CBOE proposes to add the March 1992 series as an additional expiration month. Accordingly, the proposal has become effective pursuant to section 19(b)(3)(A) of the Act and subparagraph (e) of Securities Exchange Act Rule 19b-4.[2] At any time within 60 days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying at the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organiztion. All submissions should refer to the file number in the caption above and should be submitted by April 6, 1992.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[3]

Margaret H. McFarland,

Deputy Secretary

[FR Doc. 92-6067 Filed 3-13-92; 8:45 am]

BILLING CODE 8010-01-M

Self-Regulatory Organizations; Applications for Unlisted Trading Privileges and of Opportunity for hearing; Midwest Stock Exchange, Incorporated

March 10, 1992.

The above named national securities exchange has filed applications with the Securities and Exchange Commission ("Commission") pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and rule 12F-1 thereunder for unlisted trading privileges in the following securities:

American Income Holdings, Inc.
Common Stock, $.10 Par Value (File No. 7-8177)
Foodmaker, Inc.
Common Stock, $.01 Par Value (File No. 7-8178)
Reader's Digest Association
Class B Voting Common Stock, $.01 Par Value (File No. 7-8179)
Toastmaster, Inc.
Common Stock, $.10 Par Value (File No. 7-8180)
GFC Financial Corp.
Common Stock, $.01 Par Value (File No. 7-8181)
Dial Corporation
Common Stock, $1.50 Par Value (File No. 7-8182)

These securities are listed and registered on one or more other national securities exchange and are reported in the consolidated transaction reporting system.

Interested persons are invited to submit on or before March 31, 1992, written data, views and arguments concerning the above-referenced application. Persons desiring to make

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[1] See memorandum from Joseph P. Corrigan, Executive Director, OPRA, to Joseph Levin, CBOE, dated February 18, 1992 ("OPRA Capacity Statement").

[2] The Commission notes that, should the CBOE propose to modify the expiration cycle for OEX capped options beyond this limited modification, a rule filing pursuant to section 19(b)(2) of the Act will be required.

[3] 17 CFR 200.30-3(a)(12) (1991).

written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Following this opportunity for hearing, the Commission will approve the application if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such application is consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Jonathan G. Katz,

Secretary.

[FR Doc. 92-6062 Filed 3-13-92; 8:45 am]

BILLING CODE 8010-01-M

Self-Regulatory Organizations; Applications for Unlisted Trading Privileges and of Opportunity for Hearing; Pacific Stock Exchange, Incorporated

March 10, 1992.

The above named national securities exchange has filed applications with the Securities and Exchange Commission ("Commission") pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and rule 12f-1 thereunder for unlisted trading privileges in the following securities:

ACM Government Opportunity Fund, Inc.
Common Stock, $0.01 Par Value (File No. 7-8187)
ACM Managed Income Fund, Inc.
Common Stock, $0.01 Par Value (File No. 7-8188)
ACM Managed Multi-Market
Common Stock, $0.01 Par Value (File No. 7-8189)
Callaway Golf Co.
Common Stock, $0.01 Par Value (File No. 7-8190)
Coleman Co., Inc.
Common Stock, $0.01 Par Value (File No. 7-8191)
Duty Free International, Inc.
Common Stock, $0.01 Par Value (File No. 7-8192)
Enhance Financial Services Group, Inc.
Common Stock, $.10 Par Value (File No. 7-8193)
General Motors Corp.
Series C. Depositary Shares (representing 1/10th of a share of Series C Convertible Preferred Stock), $0.10 Par Value (File No. 7-8194)
Living Centers of America, Inc.
Common Stock, $.01 Par Value (File No. 7-8195)
Musicland Stores Corp.
Common Stock, $.01 Par Value (File No. 7-8196)
Sears, Roebuck & Co.
$3.75 Depositary Shares (each representing ¼ share of Series A Mandatory Exchangeable Preferred Share—PERCS (File No. 7-8197)
Strategic Global Income Fund
Common Stock, $.001 Par Value (File No. 7-8198)
Tandy Corp.
$2.14 Depositary Shares (each representing 1/100th of a share of Series C Convertible Preferred Stock), No Par Value (File No. 7-8199)
Tyco Toys, Inc.
Common Stock, $.01 Par Value (File No. 7-8200)
Universal Corp.
Common Stock, No Par Value (File No. 7-8201)
Value Merchants, Inc.
Common Stock, $.01 Par Value (File No. 7-8202)

These securities are listed and registered on one or more other national securities exchange and are reported in the consolidated transaction reporting system.

Interested persons are invited to submit on or before March 31, 1992, written data, views and arguments concerning the above-referenced application. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, 450 5th Street, NW., Washington, DC 20549. Following this opportunity for hearing, the Commission will approve the application if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such applications are consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, purusant to delegated authority.

Jonathan G. Katz,

Secretary.

[FR Doc. 92-6061 Filed 3-13-92; 8:45 am]

BILLING CODE 8010-01-M

Self-Regulatory Organizations; Applications for Unlisted Trading Privileges and of Opportunity for Hearing; Philadelphia Stock Exchange, Incorporated

March 10, 1992.

The above named national securities exchange has filed applications with the Securities and Exchange Commission ("Commission") pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and rule 12f-1 thereunder for unlisted trading privileges in the following securities:

Aquarion Corporation
Common Stock, $.01 Par Value (File No. 7-8155)
Cross Timbers Royalty Trust
Common Stock, $.01 Par Value (File No. 7-8156)
Fidelity National Financial, Inc.
Common Stock, $.001 Par Value (File No. 7-8157)
Smith Barney Intermediate Municipal Fund, Inc.
Common Stock, $.001 Par Value (File No. 7-8158)
Toastmaster, Inc.
Common Stock, $.10 Par Value (File No. 7-8159)
Valspar Corp.
Common Stock, $.50 Par Value (File No. 7-8160)
Warnaco Group, Inc.
Class A Common Stock, $0.01 Par Value (File No. 7-8161)
Arm Financial Corporation
Common Stock, $.001 Par Value (File No. 7-8162)
Enzo Biochem, Inc.
Common Stock, $0.01 Par Value (File No. 7-8163)
First City Bancorp, Inc.
Common Stock, No Par Value (File No. 7-8164)
Henley International, Inc.
Common Stock, $0.001 Par Value (File No. 7-8165)
Kent Electronics Corp.
Common Stock, No Par Value (File No. 7-8166)
Common Stock, No Par Value (File No. 7-8166)
Specialty Chemical Resources, Inc.
Class A Common Stock, $.10 Par Value (File No. 7-8167)
Tofutti Brands, Inc.
Common Stock, $0.01 Par Value (File No. 7-8168)
Arrhythmia Research Technology, Inc.
Common Stock, $.01 Par Value (File No. 7-8169)
Chase Manhattan Corp.
Prd. Stock 9.08 Series J. Cum., Par Value (File No. 7-8170)
Foodmaker, Inc.
Common Stock, $.01 Par Value (File No. 7-8171)
GFC Financial Corporation
Common Stock, $.01 Par Value (File No. 7-8172)
Olin Corporation
Series A Conv. Pfd. Stock, No Par Value (File No. 7-8173)
American Income Holding, Inc.
Common Stock, $.01 Par Value (File No. 7-8174)
Reader Digest Association, Inc.
Class B Voting Common Stock, $.01 Par Value (File No. 7-8175)
Wells Fargo & Company
Depositary Shares, No Par Value (File No. 7-8176)

These securities are listed and registered on one or more other national securities exchange and are reported in the consolidated transaction reporting system.

Interested persons are invited to submit on or before March 31, 1992, written data, views and arguments concerning the above-referenced

application. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, 450 5th Street, NW., Washington, DC 20549. Following this opportunity for hearing, the Commission will approve the application if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such applications are consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Jonathan G. Katz,

Secretary.

[FR Doc. 92-6063 Filed 3-13-92; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 35-25487]

Filings Under the Public Utility Holding Company Act of 1935 ("Act")

March 6, 1992.

Notice is hereby given that the following filing(s) has/have been made with the Commission pursuant to provisions of the Act and rules promulgated thereunder. All interested persons are referred to the application(s) and/or declaration(s) for complete statements of the proposed transaction(s) summarized below. The application(s) and/or declaration(s) and any amendments thereto is/are available for public inspection through the Commission's Office of Public Reference.

Interested persons wishing to comment or request a hearing on the application(s) and/or declaration(s) should submit their views in writing by March 30, 1992 to the Secretary, Securities and Exchange Commission, Washington, DC 20549, and serve a copy on the relevant applicant(s) and/or declarant(s) at the address(es) specified below. Proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Any request for hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in the matter. After said date, the application(s) and/or declaration(s), as filed or as amended, may be granted and/or permitted to become effective.

Central and South West Corporation (70-7940); Proposal To Issue and Sell Common Stock in Connection With the Adoption of a Long-Term Incentive Plan and Directors Restricted Stock Plan; Order Authorizing Proxy Solicitation

Central and South West Corporation ("CSW"), 1616 Woodall Rodgers Freeway, P.O. Box 660164, Dallas, Texas 75266, a registered holding company, has filed a declaration pursuant to sections 6(a), 7 and 12(e) of the Act and rules 50(a) (5), 62 and 65 thereunder.

CSW proposes to adopt, subject to shareholder approval at the 1992 annual meeting of shareholders to be held on April 16, 1992 ("1992 Annual Meeting"), (1) the Central and South West Corporation 1992 Long-Term Incentive Plan ("Incentive Plan") and (2) the Central and South West Corporation Directors Restricted Stock Plan ("Directors Plan"). In accordance with the requirements of rule 16b-3 under the Securities Exchange Act of 1934, the two plans will be submitted to the shareholders of CSW for approval at the 1992 Annual Meeting.

CSW states that the purpose of the Incentive Plan is to enable CSW to attract, retain and motivate key employees, and to align their interests with those of CSW shareholders. Pursuant to the Incentive Plan, employees selected by the Executive Compensation Committee ("Committee") of CSW's Board of Directors ("Board") will be eligible from time-to-time through December 31, 2001 for certain performance- and equity-based awards, including stock options and stock appreciation rights, performance units, phantom stock and restricted shares of CSW common stock. The terms, amounts and timing of such awards will be determined by the Committee in accordance with the terms of the Incentive Plan. No more than 4 million shares of CSW common stock, par value $3.50 per share ("Common Stock"), will be subject to awards under the Incentive Plan (after giving effect to the Common Stock split to be effected on March 6, 1992), subject to certain adjustments to reflect combinations, reclassifications or subdivisions of such shares.

CSW states that the purpose of the Directors Plan is to attract highly qualified individuals to serve as non-employee directors on the Board and to further align each non-employee director's interests with those of CSW's shareholders by increasing the amount of Common Stock of CSW owned by each non-employee director. The restricted stock will be provided as part of their annual retainer fee (currently $24,000). Each non-employee director will automatically participate in the Directors Plan if such director has not been an employee of CSW during the one year period immediately prior to and including the date of the grant of such restricted stock. Under the Directors Plan, CSW proposes to issue, from time-to-time through December 31, 2002, up to 100,000 shares of Common Stock (after giving effect to the Common Stock split to be effected on March 6, 1992), subject to certain adjustment to reflect combinations, reclassifications or subdivisions of such shares. Common Stock which may be issued under the two plans may be either authorized and unissued shares or issued shares which have been reacquired by CSW and which are being held as treasury shares.

CSW thus requests authority (1) to grant various awards pursuant to the two plans and, in connection therewith, to issue and sell up to 4 million shares of Common Stock under the Incentive Plan through December 31, 2001 and up to 100,000 shares of Common Stock under the Directors Plan through December 31, 2002, and (2) to solicit proxies from its shareholders for approval of the two plans at its 1992 Annual Meeting. CSW requests an exception from the competitive bidding requirements of Rule 50 under the Act pursuant to subsection (a)(5) in connection with any issuance or sale of Common Stock under the two plans.

CSW has filed with the Commission its proxy solicitation material and requests that the effectiveness of its declaration with respect to the solicitation of proxies for voting by its shareholders on the two plans be permitted to become effective as provided in rule 62(d).

It appearing to the Commission that CSW's declaration regarding the proposed solicitation of proxies should be permitted to become effective forthwith, pursuant to Rule 62:

It Is Ordered, That the declaration regarding the proposed solicitation of proxies, be, and it hereby is, permitted to become effective forthwith, under Rule 62 and subject to the terms and conditions presecribed in Rule 24 under the Act.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 92-6065 Filed 3-13-92; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 35-25486]

Filings Under the Public Utility Holding Company Act of 1935 ("Act")

March 6, 1992.

Notice is hereby given that the following filing(s) has/have been made with the Commission pursuant to provisions of the Act and rules promulgated thereunder. All interested persons are referred to the application(s) and/or declaration(s) for complete statements of the proposed transaction(s) summarized below. The application(s) and/or declaration(s) and any amendments thereto is/are available for public inspection through the Commission's Office of Public Reference.

Interested persons wishing to comment or request a hearing on the application(s) and/or declaration(s) should submit their views in writing by March 30, 1992 to the Secretary, Securities and Exchange Commission, Washington, DC 20549, and serve a copy on the relevant applicant(s) and/or declarant(s) at the address(es) specified below. Proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Any request for hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in the matter. After said date, the application(s) and/or declaration(s), as filed or as amended, may be granted and/or permitted to become effective.

American Electric Power Company, Inc. (70-7776)

American Electric Power Company, Inc. ("AEP"), 1 Riverside Plaza, Columbus, Ohio 43215, a registered holding company, has filed a post-effective amendment under section 12(b) of the Act and Rule 45 thereunder to its application-declaration originally filed under sections 6(a), 6(b), 7 and 12(b) of the Act and Rules 45 and 50(a)(5) thereunder.

By Commission order dated December 7, 1990 (HCAR No. 25201), the Commission authorized AEP, among other things, to make cash capital contributions to Columbus Southern Power Company ("Columbus"), an electric public-utility subsidiary company of AEP, from January 1, 1991 through December 31, 1993, of up to $40 million. AEP now requests authorization to increase the total authorized capital contributions to Columbus from $40 million to $70 million. In addition, AEP requests authorization to make capital contributions to Indiana Michigan Power Company, an electric public-utility subsidiary company of AEP, of up to $30 million through December 31, 1993.

The Southern Company, et al. (70-7937)

The Southern Company ("Southern"), a registered holding company, 64 Perimeter Center East, Atlanta, Georgia 30346, and its public utility subsidiaries, Alabama Power Company ("Alabama"), 600 North 18th Street, Birmingham, Alabama 35291, Georgia Power Company ("Georgia"), 333 Piedmont Avenue, NE., Atlanta, Georgia 30308, Gulf Power Company ("Gulf"), 500 Bayfront Parkway, Pensacola, Florida 32520, Mississippi Power Company ("Mississippi"), 2992 West Beach, Gulfport, Mississippi 39501, Savannah Electric and Power Company ("Savannah"), 600 Bay Street East, Savannah, Georgia 31401, and Southern Electric Generating Company ("SEGCO"), 600 North 18th Street, Birmingham, Alabama 35291, a subsidiary of Alabama and Georgia (collectively, "Applicants"), have filed an application-declaration under section 6(a), 6(b) and 7 of the Act and Rule 50(a)(5) thereunder.

By Commission orders dated April 26, 1990 and April 25, 1991 (HCAR Nos. 25077 and 25302, respectively), the Applicants (other than Georgia) were authorized, among other things, to issue and sell, from time-to-time through March 31, 1992, up to the aggregate principal amounts of $500 million for Southern, $450 million for Alabama, $50 million for Gulf, $120 million for Mississippi, $40 million for Savannah, and $100 million for SEGCO: (1) Short-term and/or term loan notes to banks; (2) commercial paper to dealers; and/or (3) short-term non-negotiable promissory notes to public entities in connection with the financing of certian pollution control facilities through the issuance by such public entities of their revenue bond anticipation notes.

By Commission order dated November 30, 1990 (HCAR No. 25197), Georgia was authorized, among other things, to issue and sell, through September 1, 1992, up to $1 billion aggregate principal amount of: (1) Short-term notes; (2) term-loan notes; and/or (3) commercial paper in any combination.

The Applicants now propose to issue and sell, from time-to-time through March 31, 1994, up to the aggregate principal amounts of $500 million for Southern, $450 million for Alabama, $800 million for Georgia, $100 million for Gulf, $140 million for Mississippi, $60 million for Savannah and $100 million for SEGCO: (1) Short-term notes to banks ("Short-Term Notes"); (2) short-term or term notes to banks under revolving credit arrangements; (3) commercial paper ("Commercial Paper") to dealers; and/or (4) short-term non-negotiable promissory notes ("Pollution Control Notes") to public entities in connection with the financing of certain pollution control facilities through the issuance by such public entities of their revenue bond anticipation notes.

The Short-Term Notes to be issued by Alabama, Georgia, Gulf and Mississippi will have maturities of not more than nine months and will bear interest at: (1) The lending bank's prevailing rate offered to corporate borrowers of similar quality; (2) a margin over the London Interbank Offered Rate ("LIBOR"); (3) a margin over certificate of deposit rates ("CD Rate"); or (4) a rate not to exceed the prime rate. The Short-Term Notes to be issued by Savannah will have a maturity of not more than one year and will bear interest at rates in all cases less than the prime rate at the time of issuance and will not be prepayable without premium or penalty.

Compensation for the credit facilities is provided by: (1) For Alabama, the maintenance of balances of up to 5% of the lines or comparable fees in lieu of balances; (2) for Gulf and Mississippi, the maintenance of balances of up to 5% of the available facilities or by fees up to ⅛% per annum of the amount of the facilities; (3) for Georgia, fees of up to ½% of the unused amount of the unused portion of the respective line; and (4) for Savannah, fees equal to ¼% of the unused amount of the respective lines.

The revolving credit arrangement borrowings of Southern, Alabama, Georgia, and Mississippi will be evidenced by promissory notes to mature not more than two hundred seventy (270) days after the date of borrowing. Such short-term borrowings will be renewable at maturity and may be converted to term loans at the borrower's option. Under the term loan option, borrowings will be repaid in twelve (12) equal quarterly installments, beginning after the termination date in effect at the time of the borrowing, or at an earlier date at the borrower's option. The interest rate options available will be: (1) The lender's floating prime rate ("Base Borrowing"); (2) the lender's CD Rate adjusted for Federal Reserve Board reserve requirements imposed upon the lender ("Adjusted CD Rate") plus up to ¾% ("CD Borrowing"); and (3) LIBOR adjusted for Federal Reserve Board reserve requirements imposed upon the lender ("Adjusted LIBOR") plus up to

⅝% ("Eurodollar Borrowing"). Base Borrowings will be prepayable at any time without premium or penalty, whereas advances in connection with CD Borrowings and Eurodollar Borrowings will be prepayable only at the end of each interest period with respect thereto. Compensation for the revolving credit facilities will be provided by fees up to ⅛% of the unused portion of the bank's commitment or by comparable balances in lieu of such fees. It is proposed that Gulf and Savannah may be parties to and effect borrowings under certain of such agreements.

SEGCO's revolving credit borrowings will be evidenced by notes ("SEGCO Revolving Notes") to mature in not more than five (5) years after the date of issue. SEGCO has obtained specific commitments with group of seven (7) banks in the aggregate amount of $75 million. The SEGCO Revolving Notes will bear interest at one of the three rates, as selected by SEGCO at the time of each borrowing, based on: (1) The lender's floating prime rate, (2) the lender's Adjusted CD Rate plus ⅝% per annum at one of the banks and ½% at the other banks; or (3) Adjusted LIBOR plus ½% per annum at one of the banks and ⅜% at the other banks. SEGCO will pay the following fees for the lines of credit: (1) ½% per annum times an amount equal to 5% of average borrowings outstanding at one bank (or, at the option of SEGCO, by maintaining comparable balances); and (2) at the other banks, ⅜% per annum on the daily unused portion of such commitment to be payable quarterly in arrears. Borrowings which bear interest at the lender's prime rates are prepayable at any time without premium or penalty, whereas borrowings which bear interest at the other rates are prepayble only if amounts prepaid are accompanied by an amount equal to any loss or expense incurred by the lender due to such prepayment. Any future commitments other than the foregoing will be at an interest rate not in excess of the prime rate plus two percent per annum.

The Commercial Paper will be sold directly to or through dealers at a discount rate, including any commissions, not in excess discount rate per annum prevailing at the date of issuance for commercial paper of comparable quality and of the particular maturity. The Commercial Paper will not be prepayable and will have varying maturities, none in excess of nine months.

The Applicants, except Southern, propose to enter into agreements with public entities whereby such public entities will issue revenue bond anticipation notes, having a maturity of not more than one year, and will loan to the respective Applicant the proceeds thereof, and the Applicant will issue the Pollution Control Notes therefor. The payments on the Pollution Control Notes will be made at times and in amounts which will correspond to the payments with respect to the revenue bond anticipation notes.

The Applicants propose to issue and sell the Commercial Paper and issue the Pollution Control Notes under an exception from the competitive bidding requirements of Rule 50 pursuant to Rule 50(a)(5).

The Applicants will use the proceeds of the proposed borrowings for working capital purposes, including the financing in part of their construction programs of the operating subsidiaries.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 92-6066 Filed 3-13-92; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF STATE

Bureau of Diplomatic Security

[Public Notice 1582]

Public Information Collection Requirement Submitted to OMB for Review

AGENCY: Department of State.

ACTION: The Department of State has submitted the following public information collection requirement to OMB for review and clearance under the Paperwork Reduction Act of 1980, 44 U.S.C. chapter 35.

SUMMARY: The American Embassy in Nicaragua has been holding discussions with the Government of Nicaragua concerning claims made by U.S. citizens whose property is alleged to have been confiscated by the Sandinista government. The proposed information collection will enable the Embassy to assist U.S. citizens more efficiently in attempting to pursue their claims.

The following summarizes the information collection proposal submitted to OMB:

Type of request—New
Originating office—United States Embassy, Managua, Nicaragua
Title of information collection—U.S. Citizens with Confiscation Claims against Nicaragua
Confiscation Cases:
Frequency—One-time filing.
Form No. DSP-116.
Respondents—U.S. citizens who claim to have properties that were confiscated by the Sandinista government.
Estimated number of respondents—125.
Average hours per response—30 minutes.

Section 3504(h) of P.L. 96.511 does not apply.

ADDITIONAL INFORMATION OR COMMENTS: Copies of the proposed forms and supporting documents may be obtained from Gail J. Cook, (202) 647-3538. Comments and questions should be directed to OMB, Lin Liu, (202) 395-7340.

Dated: March 2, 1992.

Sheldon J. Krys,

Assistant Secretary for Diplomatic Security.

[FR Doc. 92-6002 Filed 3-13-92; 8:45 am]

BILLING CODE 4710-43-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGD 92-017]

Navigation Safety Advisory Council; Meeting

AGENCY: Coast Guard, DOT.

ACTION: Notice of meeting.

SUMMARY: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. app. 2), notice is hereby given of a meeting of the Navigation Safety Advisory Council to be held in the Stevenson Room at the Best Western Old Colony Inn, 625 First Street, Alexandria, VA on Saturday through Tuesday, April 25-28, 1992. The Council will convene for a preliminary plenary session at 5 p.m. on Saturday, April 25, 1992.

Committees will meet on Saturday, April 25 from 5:30 to 8:30 p.m. and on Sunday, April 26 from 8:30 to 11:30 a.m. and 1 p.m. to 4 p.m. Committee discussions will include the following topics:

a. *Navigation Rules:*

1. Review of International Rule 5 and provisions of the STCW on lookout duties.

2. Review of lighting required for vessels moored to a buoy.

3. Consistency review of Navigation Rules.

b. *Routing Measures and Vessel Traffic Service (VTS) issues:*

1. National VTS regulations.

2. Oil Pollution Act of 1990 mandated tanker movement study.

c. *Human Factors in Navigation Safety:*

1. Bridge procedures and bridge management.

2. Fatigue.

d. *Marine Information and Communications:*

1. NTSB recommendation that 33 CFR 164.11(k) be amended to require that masters and pilots discuss and agree beforehand to the essential features and relevant checkpoints of maneuvers they expect to undertake.

The Council will convene in plenary session on Monday, April 27 at 8 a.m. to 3 p.m. and reconvene on Tuesday, April 28 at 8 a.m. to 12 noon to hear Committee status reports and any matters properly brought before the Council.

The meeting is open to the public. Persons wishing to make oral statements should notify the Executive Director at the address below no later than Friday, April 24, 1992. Any person may present a written statement to the Council at any time without advance notice.

FOR FURTHER INFORMATION CONTACT: Margie G. Hegy, Executive Director, Navigation Safety Advisory Council, U.S. Coast Guard (G–NSR–3), Washington, DC 20593–0001, Telephone (202) 267–0415.

Dated: March 9, 1992.

W. J. Ecker,

Rear Admiral, U.S. Coast Guard, Chief, Office of Navigation Safety and Waterway Services.

[FR Doc. 92–6045 Filed 3–13–92; 8:45 am]

BILLING CODE 4910–14–M

DEPARTMENT OF THE TREASURY

Public Information Collection Requirements Submitted to OMB for Review

March 9, 1992.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96–511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, room 3171 Treasury Annex, 1500 Pennsylvania Avenue, NW., Washington, DC 20220.

Internal Revenue Service

OMB Number: 1545–0073.

Form Number: IRS Form 1310.

Type of Review: Extension.

Title: Statement of Person Claiming Refund Due a Deceased Taxpayer.

Description: Forms 1310 is used by a claimant to secure payment of a refund on behalf of a deceased taxpayer. The information enables IRS to send the refund to the correct person.

Respondents: Individuals or households.

Estimated Number of Respondents/ Recordkeepers: 7,500.

Estimated Burden Hours Per Respondent/Recordkeeper:

Recordkeeping: 7 minutes.

Learning about the law or the form: 3 minutes.

Preparing the form: 14 minutes.

Copying, assembling, and sending the form to the IRS: 17 minutes.

Frequency of Response: On occasion.

Estimated Total Reporting/ Recordkeeping Burden: 5,100 hours.

Clearance Officer: Garrick Shear (202) 535–4297, Internal Revenue Service, room 5571, 1111 Constitution Avenue, NW., Washington, DC 20224.

OMB Reviewer: Milo Sunderhauf (202) 395–6880, Office of Management and Budget, Room 3001, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,

Departmental Reports, Management Officer.

[FR Doc. 92–6049 Filed 3–13–92; 8:45 am]

BILLING CODE 4830–01–M

Public Information Collection Requirements Submitted to OMB for Review.

DATE: March 9, 1992.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96–511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, room 3171 Treasury Annex, 1500 Pennsylvania Avenue, NW., Washington DC 20220.

Internal Revenue Service

OMB Number: 1545–0956.

Form Number: IRS Form 5500EZ.

Type of Review: Revision.

Title: Annual Return of One-participant (Owners and Their Spouses) Pension Benefit Plan.

Description: Form 5500ES is an annual return filed by a one-participant or one-participant and spouse pension plan. The IRS uses this data to determine if the plan appears to be operating properly as required under the law or whether the plan should be audited.

Respondents: Farms, Businesses or other for-profit, Small businesses or organizations.

Estimated Number of Respondents/ Recordkeepers: 50,000.

Estimated Burden Hours PER Respondent/Recordkeeper:

Recordkeeping: 10 hours, 46 minutes.

Learning about the law or the form: 1 hour, 4 minutes.

Preparing the form: 2 hours, 13 minutes.

Copying, assembling, and sending the form to the IRS: 16 minutes.

Frequency of Response: Annually.

Estimated Total Reporting/ Recordkeeping Burden: 715,500 hours.

Clearance Officer: Garrick Shear (202) 535–4297, Internal Revenue Service, room 571, 1111 Constitution Avenue, NW., Washington, DC 20224.

OMB Reviewer: Milo Sunderhauf (202) 395–6880, Office of Management and Budget, room 3001, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,

Departmental Reports, Management Officer.

[FR Doc. 92–6050 Filed 3–13–92; 8:45 am]

BILLING CODE 4830–01–M

Fiscal Service

[Dept. Circ. 570, 1991 Rev., Supp. No. 21]

Surety Companies Acceptable on Federal Bonds; Acceptance Insurance Company

A Certificate of Authority as an acceptable surety on Federal Bonds is hereby issued to the following company under sections 9304 to 9308, title 31, of the United States Code. Federal bond-approving officers should annotate their reference copies of the Treasury Circular 570, 1991 revision, on page 30129 to reflect this addition:

Acceptance Insurance Company.

Business Address: 105 South 17th Street, suite 500, Omaha, NE 68102.

Underwriting Limitation b/$2,264,000.

Surety License c/: AL, AZ, CO, IA, MI, NE, ND. Incorporated In: Nebraska.

Certificates of Authority expire on June 30 each year, unless revoked prior to that date. The Certificates are subject to subsequent annual renewal as long as the companies remain qualified (31 CFR part 223). A list of qualified companies is published annually as of July 1 in Treasury Department Circular 570, with details as to underwriting limitations,

area in which licensed to transact surety business and other information.

Copies of the Circular may be obtained from the Surety Bond Branch, Funds Management Division, Department of the Treasury, Washington, DC 20227, telephone (202) 874–6696.

Dated: March 9, 1992.

Charles F. Schwan III,

Director, Funds Management Division.

[FR Doc. 92–6075 Filed 3–13–92; 8:45 am]

BILLING CODE 4810–35–M

DEPARTMENT OF TREASURY

Internal Revenue Service Project; Town Meeting

Forms Standardization (IRS)

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of Town Meeting.

SUMMARY: In reference to the previous announcement of the Forms Standardization Project's intent to have a multi-functional work group, we are holding an open town meeting on Thursday, April 9, 1992. The meeting will be held in room 3000 of the Ariel Rios Building. The building is located at 1200 Pennsylvania Avenue, NW, Washington, DC. The meeting will begin at 9 a.m., and should last no more than three hours. At this meeting, the Forms Standardization staff will share IRS form design standards as they relate to Tax System Modernization (TSM).

Note: Last minute changes to the date or time of meeting are possible and could prevent advance notice.

DATE: The Meeting, which will be open to the public, will be in a room that accommodates approximately 75 people, including members of Forms Standardization Project Office and IRS officials. Due to the limited conference space, notification of intent to attend the meeting must be made no later than April 3, 1992.

FOR FURTHER INFORMATION CONTACT: Please contact Faye Bruce at 202–786–8524 (not toll free), to confirm attendance or for additional information. If you wish to communicate by FAX, the number is 202–566–4964.

Dated: March 6, 1992.

Robert Carver,

Director, Returns Processing and Accounting Division R:R.

[FR Doc. 92–5861 Filed 3–13–92; 8:45 am]

BILLING CODE 4830–01–M

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

[Docket No. 92–3]

Stock Appraisals

AGENCY: Office of the Comptroller of the Currency, Treasury.

ACTION: Notice of policy statement on stock appraisals.

SUMMARY: The Office of the Comptroller of the Currency (OCC) has issued Banking Circular 259 to describe methods used by the OCC to estimate the value of a bank's share when a shareholder dissents to a conversion, consolidation, or merger involving a national bank, and to summarize the results of appraisals performed by the OCC between January 1, 1985, and September 30, 1991. This notice, which provides the full text of BC 259, is for the benefit of persons who do not normally receive banking circulars.

DATE: BC 259 was dated March 5, 1992.

SUPPLEMENTARY INFORMATION: On March 5, 1992, the OCC issued BC 259 describing methods used to estimate the value of a bank's shares and the results of appraisals performed by the OCC between January 1, 1985, and September 30, 1991. The full text of B 259 is set out below.

To: Chief Executive Officers of National Banks, Deputy Comptrollers (District), Departmenat and Division Heads, and Examining Personnel.

Purpose

This Banking Circular informs all national banks of the valuation methods used by the Office of the Comptroller of the Currency (OCC) to estimate the value of a bank's shares when requested to do so by a shareholder dissenting to the conversion, merger, or consolidation of its bank. The results of appraisals performed by the OCC between January 1, 1985, and September 30, 1991 are summarized.

References: 12 U.S.C. 214a, 215 and 215a; 12 CFR 11.590 (item 2)

Background

Under 12 U.S.C. 214a, a shareholder dissenting from a conversion, consolidation, or merger involving a national bank is entitled to receive the value of his or her shares from the resulting bank. A valuation of the shares shall be made by a committee of three appraisers (a representative of the dissenting shareholder, a representative of the resulting bank, and a third appraiser selected by the other two). If the committee is formed and renders an appraisal that is acceptable to the dissenting shareholder, the process is complete and the appraised value of the shares is paid to the dissenting shareholder by the resulting bank. If, for any reason, the committee is not formed or if it renders an appraisal that is not acceptable to the dissenting shareholder, an interested party may request an appraisal by the OCC. 12 U.S.C. 215 provides these appraisal rights to any shareholder dissenting to a consolidation. Any dissenting shareholder of a target bank in a merger is also entitled to these appraisal rights pursuant to 12 U.S.C. 215a.

The above provides only a general overview of the appraisal process. The specific requirements of the process are set forth in the statutes themselves.

Methods of Valuation Used

Through its appraisal process, the OCC attempts to arrive at a fair estimate of the value of a bank's shares. After reviewing the particular facts in each case and the available iniformation on a bank's shares, the OCC selects an appropriate valuation method, or combination of methods, to determine a reasonable estimate of the shares' value.

Market Value

The OCC uses various methods to estimate the market value of shares being appraised. If sufficient trading in the shares exists and the prices are available from direct quotes from the Wall Street Journal or a market-maker, those quotes are considered in determining the market value. If no market value is readily available, or if the market value available is not well established, the OCC may use other methods of estimating market value, such as the investment value and adjusted book value methods.

Investment Value

Investment value requires an assessment of the value to investors of a share in the future earnings of the target bank. Investment value is estimated by applying an average price/earnings ratio of banks with similar earnings potential to the earnings capacity of the target bank.

The peer group selection is based on location, size, and earnings patterns. If the state in which the subject bank is located provides a sufficient number of comparable banks using location, size and earnings patterns as the criteria for selection, the price/earnings ratios assigned to the banks are applied to the earnings per share estimated for the subject bank. In order to select a

reasonable peer group when there are too few comparable independent banks in a location that is comparable to that of the subject bank, the pool of banks from which a peer group is selected is broadened by including one-bank holding company banks in a comparable location, and/or by selecting banks in less comparable locations, including adjacent states, that have earnings patterns similar to the subject bank.

Adjusted Book Value

The OCC also uses an "adjusted book value" method for estimating value. Historically, the OCC has not placed any weight on the bank's "unadjusted book value", since that value is based on historical acquisition costs of the bank's assets, and does not reflect investors' perceptions of the value of the bank as an ongoing concern. Adjusted book value is calculated by multiplying the book value of the target bank's assets per share times the average market price to book value ratio of comparable banking organizations. The average market price to book value ratio measures the premium or discount to book value, which investors attribute to shares of similarly situated banking organizations.

Both the investment value method and the adjusted book value method present appraised values, which are based on the target bank's value as a going concern. These techniques provide estimates of the market value of the shares of the subject bank.

Overall Valuation

The OCC may use more than one of the above-described methods in deriving the value of shares of stock. If more than one method is used, varying weights may be applied in reaching an overall valuation. The weight given to the value by a particular valuation method is based on how accurately the given method is believed to represent market value. For example, the OCC may give more wieght to a market value representing infrequent trading by shareholders than to the value derived from the investment value method when the subject bank's earnings trend is so irregular that it is considered to be a poor predictor of future earnings.

Purchase Premiums

For mergers and consolidations, the OCC recognizes that purchase premiums do exist and may, in some instances, be paid in the purchase of small blocks of shares. However, the payment of purchase premiums depends entirely on the acquisition or control plans of the purchasers, and such payments are not regular or predictable elements of market value. Consequently, the OCC's valuation methods do not include consideration of purchase premiums in arriving at the value of shares.

Statistical Data

The chart below lists the results of appraisals the OCC performed between January 1, 1985, and September 30, 1991. The OCC provides statistical data on book value and price/earnings ratios for comparative purposes, but does not necessarily rely on such data in determining the value of the banks' shares. Dissenting shareholders should not view these statistics as determinative for future appraisals.

In connection with disclosures given to shareholders under 12 CFR 11.590 (Item 2), banks may provide shareholders a copy of this Banking Circular or disclose the information contained in the Banking Circular, including the results of OCC appraisals. If the bank discloses the past results of the OCC appraisals, it should advise shareholders that: (1) The OCC did not rely on all the information set forth in the chart in performing each appraisal; and, (2) the OCC's past appraisals are not necessarily determinative of its future appraisals of a particular bank's shares.

APPRAISAL RESULTS

Appraisal date *	Appraisal value	Price offered	Book value	Average price earnings ratio of peer group
1/1/85	107.05	110.00	178.29	5.3
1/2/85	73.16	NA	66.35	6.8
1/15/85	53.41	60.00	83.95	4.8
1/31/85	22.72	20.00	38.49	5.4
2/1/85	30.63	24.00	34.08	5.7
2/25/85	27.74	27.55	41.62	5.9
4/30/85	25.98	35.00	42.21	4.5
7/30/85	3,153.10	2,640.00	6,063.66	NC
9/1/85	17.23	21.00	21.84	4.7
11/22/85	316.74	338.75	519.89	5.0
11/22/85	30.28	NA	34.42	5.9
12/16/85	66.29	77.00	89.64	5.6
12/27/85	60.85	57.00	119.36	5.3
12/31/85	61.77	NA	73.56	5.9
12/31/85	75.79	40.00	58.74	12.1
1/12/86	19.93	NA	26.37	7.0
3/14/86	59.02	200.00	132.20	3.1
4/21/86	40.44	35.00	43.54	6.4
5/2/86	15.50	16.50	23.69	5.0
7/3/86	405.74	NA	612.82	3.9
7/31/86	297.34	600.00	650.63	4.4
8/22/86	103.53	106.67	136.23	NC
12/26/86	16.66	NA	43.57	4.0
12/31/86	53.39	95.58	69.66	7.1
5/1/87	186.42	NA	360.05	5.1
6/11/87	50.46	70.00	92.35	4.5
6/11/87	38.53	55.00	77.75	4.5
7/31/87	13.10	NA	20.04	6.7
8/26/87	55.92	57.52	70.88	NC
8/31/87	19.55	23.75	30.64	5.0
8/31/87	10.98	NA	17.01	4.2
10/6/87	56.48	60.00	73.11	5.6
3/15/88	297.63	NA	414.95	6.2
6/2/88	27.26	NA	28.45	5.4

APPRAISAL RESULTS—Continued

Appraisal date *	Appraisal value	Price offered	Book value	Average price earnings ratio of peer group
6/30/88	137.78	NA	215.36	6.0
8/30/88	768.62	677.00	1,090.55	10.7
3/31/89	773.62	NA	557.30	7.9
5/26/89	136.47	180.00	250.42	4.5
5/29/90	9.87	NA	11.04	9.9

*The "Appraisal Date" is the consummation date for the conversion, consolidation, or merger.
NA—Not Available.
NC—Not Computed.

For more information regarding the OCC's stock appraisal process, contact the Office of the Comptroller of the Currency, Bank Organization and Structure

Dated: February 26, 1992.

Robert L. Clarke,

Comptroller of the Currency.

[FR Doc. 92-6077 Filed 3-13-92; 8:45 am]

BILLING CODE 4810-33-M

Sunshine Act Meetings

Federal Register
Vol. 57, No. 51
Monday, March 16, 1992

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

CONSUMER PRODUCT SAFETY COMMISSION

TIME AND DATE: 10:00 a.m., Wednesday, March 18, 1992.

LOCATION: Room 556, Westwood Towers, 5401 Westbard Avenue, Bethesda, Maryland.

STATUS: Open to the Public.

MATTERS TO BE CONSIDERED:

1. *Pride in Public Service Award.*

The Commission will present the Pride in Public Service Award to March's recipient.

2. *Choking Hazards Options.*

The Commission will consider options to address choking hazards associated with : (1) Toys and other articles with small parts intended for children aged three years to approximately six years, (2) balloons, (3) marbles, and (4) small balls.

For a Recorded Message Containing the Latest Agenda Information, Call (301) 504–0709.

CONTACT PERSON FOR ADDITIONAL INFORMATION: Sheldon D. Butts, Office of the Secretary, 5401 Westbard Ave., Bethesda, Md. 20207 (301) 504–0800.

Dated: March 12, 1992.

Sheldon D. Butts,

Deputy Secretary.

[FR Doc. 92–6189 Filed 3–13–92; 1:54 pm]

BILLING CODE 6355–01–M

CONSUMER PRODUCT SAFETY COMMISSION

TIME AND DATE: Thursday, March 19, 1992.

LOCATION: Room 556, Westwood Towers, 5401 Westbard Avenue, Bethesda, Maryland.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

1. *Actions to Gather Information About Risks Associated With Lead In Paint.*

The staff will brief the Commission concerning options for obtaining additional information concerning the appropriate regulatory level for lead in paint.

Closed to the Public

2. *Enforcement Matter OS 3146.*

The staff will brief the Commission on enforcement matter OS# 3146.

For a Recorded Message Containing the Latest Agenda Information, Call (301) 504–0709.

CONTACT PERSON FOR ADDITIONAL INFORMATION: Sheldon D. Butts, Office of the Secretary, 5401 Westbard Ave., Bethesda, Md. 20207 (301) 504–0800.

Dated: March 12, 1992.

Sheldon D. Butts,

Deputy Secretary.

[FR Doc. 92–6190 Filed 3–12–92; 1:54 pm]

BILLING CODE 6355–01–M

FEDERAL TRADE COMMISSION

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 57 F.R., Monday, March 2, 1992, Page No. 7433.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 2:00 p.m., Thursday, April 16, 1992.

CHANGES IN THE AGENDA: The Federal Trade Commission has changed the date of its previously scheduled Oral Argument in Schering Corp., Docket No. 9232, from Thursday, April 16, 1992, at 2:00 p.m., to Tuesday, May 12, 1992, at 2:00 p.m.

Donald S. Clark,

Secretary.

[FR Doc. 92–6224 Filed 3–12–92; 3:58 pm]

BILLING CODE 6750–01–M

LEGAL SERVICES CORPORATION BOARD OF DIRECTORS

REAUTHORIZATION COMMITTEE MEETING

TIME AND DATE: The Board of Directors Reauthorization Committee will meet on April 5, 1992. The meeting is scheduled to commence at 2:00 p.m.

PLACE: The Hilton Palacio Del Rio Hotel, 200 South Alamo, The La Condesa Room, 22nd Floor, San Antonio, Texas 78205, (512) 222–1400.

STATUS OF MEETING: Open.

MATTERS TO BE CONSIDERED:

1. Approval of Agenda.
2. Approval of Minutes of February 17, 1992 Meeting.
3. Public Comment regarding Inspector General's February 17, 1992 Comments on Proposed Reauthorization Legislation for the Corporation.
4. Staff Comment Regarding Proposed Reauthorization Legislation for the Corporation.
5. Consideration of Comments of the Inspector General Regarding Proposed Reauthorization Legislation for the Corporation.
6. Consideration of Proposed Reauthorization Legislation for the Legal Services Corporation.

CONTACT PERSON FOR INFORMATION: Members of the public wishing to comment on the above-described matters are requested to contact Patricia Batie at (202) 863–1839 not later than March 30, 1992.

Date issued; March 12, 1992.

Patricia D. Batie,

Corporate Secretary

[FR Doc. 92–6199 Filed 3–12–92; 1:55 pm]

BILLING CODE 7050–01–M

SECURITIES AND EXCHANGE COMMISSION

Agency Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94–409, that the Securities and Exchange Commission will hold the following meeting during the week of March 16, 1992.

A closed meeting will be held on Tuesday, March 17, 1992, at 2:30 p.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters may also be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(4), (8), (9)(A) and (10) and 17 CFR 200.402(a)(4), (8), (9)(i) and (10), permit consideration of the scheduled matters at a closed meeting.

Commissioner Schapiro, as duty officer, voted to consider the items listed for the closed meeting in a closed session.

The subject matter of the closed meeting scheduled for Tuesday, March 17, 1992, at 2:30 p.m., will be:

Institution of administrative proceedings of an enforcement nature.

Institution of injunctive actions.

Settlement of administrative proceedings of an enforcement nature.

At times, changes in Commission priorities require alterations in the

scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: Jonathan Gottlieb at (202) 272–2200.

Dated: March 12, 1992.

Jonathan G. Katz,

Secretary.

[FR Doc. 92–6222 Filed 3–12–92; 3:57 pm]

BILLING CODE 8010–01–M

Corrections

Federal Register
Vol. 57, No. 51
Monday, March 16, 1992

This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

Consumer Participation; Open Meeting

Correction

In notice document 92-4665 appearing on page 6832 in the issue February 28, 1992, make the following correction:

In the first column, in the **SUMMARY**, in the fourth line, "Boxton" should read "Boston".

BILLING CODE 1505-01-D

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 92N-0073]

Drug Export; Blood Grouping Reagent: Anti-C (Anti-Hr') (Monoclonal) Biodone for Slide, Tube, and Microplate Test

Correction

In notice document 92-4184 appearing on page 6506 in the issue of Tuesday, February 25, 1992, make the following corrections:

1. In the second column, in the heading of the document, the subject heading should read as set forth above.

2. In the same column, in the **SUMMARY**, "Reagent -" should read "Reagent,".

3. In the third column, in the 13th line, after "Reagent" insert ", Anti-c".

BILLING CODE 1505-01-D

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

Investigational New Drugs; Procedure To Monitor Clincal Hold Process; Meeting of Review Committee and Request for Submissions

Correction

In notice document 92-4601 beginning on page 6832 in the issue of Friday, February 28, 1992, make the following correction:

On page 6832, in the second column, under **FOR FURTHER INFORMATION CONTACT:**, in the first line insert, "Deborah Wolf,".

BILLING CODE 1505-01-D

RESOLUTION TRUST CORPORATION

Real Property Disposal; Statement of Policy on Sale of Real Estate Property and Establishing Prices in Auctions Sales

Correction

In notice document 92-3918 beginning on page 6143 in the issue of Thursday, February 20, 1992, make the following correction:

On page 6143, in the third column, in the second paragraph, in the ninth line, "$1,000,000" should read "$100,000".

BILLING CODE 1505-01-D

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 91-NM-263-AD; Amendment 39-8177; AD 92-04-06]

Airworthiness Directives; Airbus Model A320 Series Airplanes

Correction

In rule document 92-3904 beginning on page 6068 in the issue of Thursday, February 20, 1992, make the following correction:

§ 39.13 [Corrected]

On page 6069, in the third column, in § 39.13(a)(1)(i), in the third line, "not" should be removed.

BILLING CODE 1505-01-D

federal register

Monday
March 16, 1992

Part II

Office of Management and Budget

Rescissions and Deferrals; Cumulative Report; Notice

OFFICE OF MANAGEMENT AND BUDGET

Cumulative Report on Rescissions and Deferrals

March 1, 1992

This report is submitted in fulfillment of the requirement of section 1014(e) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93–344). Section 1014(e) requires a monthly report listing all budget authority for this fiscal year for which, as of the first day of the month, a special message has been transmitted to Congress.

This report gives the status, as of March 1, 1992, of one rescission proposal and 11 deferrals contained in the three special messages for FY 1992. These messages were transmitted to Congress on September 30, and December 19, 1991, and on February 19, 1992.

Rescissions (Table A and Attachment A)

As of March 1, 1992, one rescission proposal totaling $16.7 million was pending before Congress. However, 32 rescission proposals for the Departments of Commerce, Defense, Health and Human Services, Housing and Urban Development, the Interior, and Transportation, which were included in the February 18th Supplement to the FY 1993 Budget, will be transmitted later this month in the Fourth and Fifth Special Messages.

Deferrals (Table B and Attachment B)

As of March 1, 1992, $2,621.5 million in budget authority was being deferred from obligation. Attachment B shows the history and status of each deferral reported during FY 1992.

Information from Special Messages

The special messages containing information on the rescission proposal and deferrals that are covered by this cumulative report are printed in the **Federal Registers** cited below:

56 FR 50620, Monday, October 7, 1991.
56 FR 67402, Monday, December 30, 1991.
57 FR 6644, Wednesday, February 26, 1992.

Richard Darman,

Director.

BILLING CODE 3110-01-M

TABLE A

STATUS OF FY 1992 RESCISSIONS

	Amounts (In millions of dollars)
Rescissions proposed by the President.....	16.7
Rejected by the Congress.....	---
Funding never withheld.....	---
Pending before the Congress.....	16.7

TABLE B

STATUS OF FY 1992 DEFERRALS

	Amounts (In millions of dollars)
Deferrals proposed by the President.....	5,631.1
Routine Executive releases through March 1, 1992...	-3,009.6
Overturned by the Congress.....	---
Currently before the Congress.....	2,621.5

Attachments

ATTACHMENT A
Status of FY 1992 Rescission Proposals
(Amounts in thousands of dollars)

As of March 1, 1992 Agency/Bureau/Account	Rescission Number	Amounts Pending Before Congress: Less than 45 days	Amounts Pending Before Congress: More than 45 days	Date of Message	Amount Rescinded	Amount Previously Withheld and Made Available	Date Made Available	Congressional Action
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT								
Housing Programs								
Congregate services program.....	R92-1	16,700		2-19-92				

ATTACHMENT B
Status of FY 1992 Deferrals – As of March 1, 1992
(Amounts in thousands of dollars)

Agency/Bureau/Account	Deferral Number	Amounts Transmitted: Original Request	Amounts Transmitted: Subsequent Change (+)	Date of Message	Releases(–): Cumulative OMB/ Agency	Releases(–): Congressionally Required	Congressional Action	Cumulative Adjustments (+)	Amount Deferred as of 3–1–92
FUNDS APPROPRIATED TO THE PRESIDENT									
International Security Assistance									
Economic support fund	D92–1	244,777		09–30–91					
	D92–1A		1,623,312	12–19–91	1,079,466				788,623
Foreign military financing	D92–8	1,908,000		12–19–91	777,300				1,130,700
Agency for International Development									
International disaster assistance, Executive	D92–2	40,704		09–30–91					
	D92–2A		12,483	02–19–92					53,187
Demobilization and transition fund	D92–9	13,000		12–19–91					13,000
DEPARTMENT OF AGRICULTURE									
Forest Service									
Cooperative work	D92–3	482,378		09–30–91	135,434				346,944
Expenses, brush disposal	D92–10	101,006		12–19–91					101,006
Timber salvage sales	D92–11	131,549		02–19–92					131,549
DEPARTMENT OF DEFENSE – CIVIL									
Wildlife Conservation, Military Reservations									
Wildlife conservation, Defense	D92–4	1,416		09–30–91					1,416

ATTACHMENT B
Status of FY 1992 Deferrals – As of March 1, 1992
(Amounts in thousands of dollars)

Agency/Bureau/Account	Deferral Number	Amounts Transmitted: Original Request	Amounts Transmitted: Subsequent Change (+)	Date of Message	Releases(–): Cumulative OMB/ Agency	Releases(–): Congressionally Required	Congressional Action	Cumulative Adjustments (+)	Amount Deferred as of 3–1–92
DEPARTMENT OF HEALTH AND HUMAN SERVICES									
Social Security Administration									
Limitation on administrative expenses	D92–5	7,317		09–30–91					7,317
DEPARTMENT OF STATE									
Bureau for Refugee Programs									
United States emergency refugee and migration assistance fund, executive	D92–6	30,053		09–30–91					
	D92–6A		24,750	12–19–91	7,000				47,803
DEPARTMENT OF TRANSPORTATION									
Federal Aviation Administration									
Facilities and equipment (Airport and airway trust fund)	D92–7	1,010,375		09–30–91	1,010,375				0
TOTAL, DEFERRALS		3,970,575	1,660,545		3,009,575	0		0	2,621,545

[FR Doc. 92–6080 Filed 3–13–92; 8:45 am]
BILLING CODE 3110–01–C

federal register

Monday
March 16, 1992

Part III

The President

Executive Order 12792—National Commission on America's Urban Families

Part III

The President

Federal Register
Vol. 57, No. 51
Monday, March 16, 1992

Presidential Documents

Title 3—

The President

Executive Order 12792 of March 12, 1992

National Commission on America's Urban Families

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to establish, in accordance with the provisions of the Federal Advisory Committee Act, as amended (5 U.S.C. App. 2), a commission on America's urban families, it is hereby ordered as follows:

Section 1. *Establishment.* (a) There is established the National Commission on America's Urban Families ("Commission"). The Commission shall be composed of up to eight members appointed by the President.

(b) The President shall appoint a Chairman and Co-chairman from among the members of the Commission. The Chairman shall appoint an Executive Director.

Sec. 2. *Functions.* (a) The Commission shall:

- examine the current condition of urban families;
- consider how existing government policies and programs support or weaken the urban family structure;
- evaluate the potential for integrating the delivery of government services in ways to strengthen urban families;
- identify State, local, and Federal programs that have been successful in preserving and strengthening urban families;
- analyze ways to improve private/nonprofit efforts to preserve and strengthen urban families; and
- provide appropriate recommendations for government policies and programs and for actions by other institutions to strengthen families living in urban areas.

(b) The Commission shall make its report to the President on or before December 31, 1992.

Sec. 3. *Administration.* (a) The heads of executive agencies shall, to the extent permitted by law, provide the Commission such information as it may require for the purpose of carrying out its functions.

(b) Members of the Commission shall serve without any compensation for their work on the Commission. However, they shall be entitled to travel expenses, including per diem in lieu of subsistence, as authorized for persons serving intermittently in the Government service (5 U.S.C. 5701–5707 and 5 U.S.C. App. 2, 7(d)). The Executive Director shall be compensated at a rate of pay not to exceed the maximum allowable under section 7(d)(1)(A) of the Federal Advisory Committee Act, as amended.

(c) The Department of Health and Human Services shall provide the Commission with administrative services, facilities, staff, and other support services necessary for the performance of its functions. Funds for the operation of the Commission shall be provided by the Department of Health and Human Services.

(d) Notwithstanding any other Executive order, the functions of the President under the Federal Advisory Committee Act, as amended, which are applicable to the Commission, except that of reporting to the Congress, shall be performed by the Secretary of Health and Human Services in accordance with guidelines issued by the Administrator of General Services.

(e) The Commission shall terminate 30 days after submitting its report.

George Bush

THE WHITE HOUSE,
March 12, 1992.

[FR Doc. 92-6267
Filed 3-13-92; 11:07 am]
Billing code 3195-01-M

Reader Aids

Federal Register

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Monday, March 16, 1992

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LIST OF PUBLIC LAWS

This is a continuing list of public bills from the current session of Congress which have become Federal laws. It may be used in conjunction with "P L U S" (Public Laws Update Service) on 202–523–6641. The text of laws is not published in the **Federal Register** but may be ordered in individual pamphlet form (referred to as "slip laws") from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 (phone, 202–512–2470).

H.J. Res. 350/P.L. 102–253

Designating March 1992 as "Irish-American Heritage Month". (Mar. 10, 1992; 106 Stat. 70; 1 page) Price: $1.00

H.J. Res. 343/P.L. 102–254

To designate March 12, 1992, as "Girl Scouts of the United States of America 80th Anniversary Day". (Mar. 11, 1992; 106 Stat. 71; 1 page) Price: $1.00

Last List March 13, 1992

CFR CHECKLIST

This checklist, prepared by the Office of the Federal Register, is published weekly. It is arranged in the order of CFR titles, stock numbers, prices, and revision dates.

An asterisk (*) precedes each entry that has been issued since last week and which is now available for sale at the Government Printing Office.

A checklist of current CFR volumes comprising a complete CFR set, also appears in the latest issue of the LSA (List of CFR Sections Affected), which is revised monthly.

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Title	Stock Number	Price	Revision Date
1, 2 (2 Reserved)	(869-017-00001-9)	$13.00	Jan. 1, 1992
3 (1990 Compilation and Parts 100 and 101)	(869-013-00002-1)	14.00	[1] Jan. 1, 1991
*4	(869-017-00003-5)	16.00	Jan. 1, 1992
5 Parts:			
1-699	(869-013-00004-8)	17.00	Jan. 1, 1991
700-1199	(869-013-00005-6)	13.00	Jan. 1, 1991
1200-End, 6 (6 Reserved)	(869-013-00006-4)	18.00	Jan. 1, 1991
7 Parts:			
0-26	(869-013-00007-2)	15.00	Jan. 1, 1991
27-45	(869-017-00006-1)	12.00	Jan. 1, 1992
46-51	(869-013-00009-9)	17.00	Jan. 1, 1991
52	(869-013-00010-2)	24.00	Jan. 1, 1991
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900-999	(869-013-00016-1)	28.00	Jan. 1, 1991
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1200-1499	(869-013-00020-0)	18.00	Jan. 1, 1991
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1900-1939	(869-013-00022-6)	11.00	Jan. 1, 1991
1940-1949	(869-013-00023-4)	22.00	Jan. 1, 1991
1950-1999	(869-013-00024-2)	25.00	Jan. 1, 1991
2000-End	(869-013-00025-1)	10.00	Jan. 1, 1991
8	(869-013-00026-9)	14.00	Jan. 1, 1991
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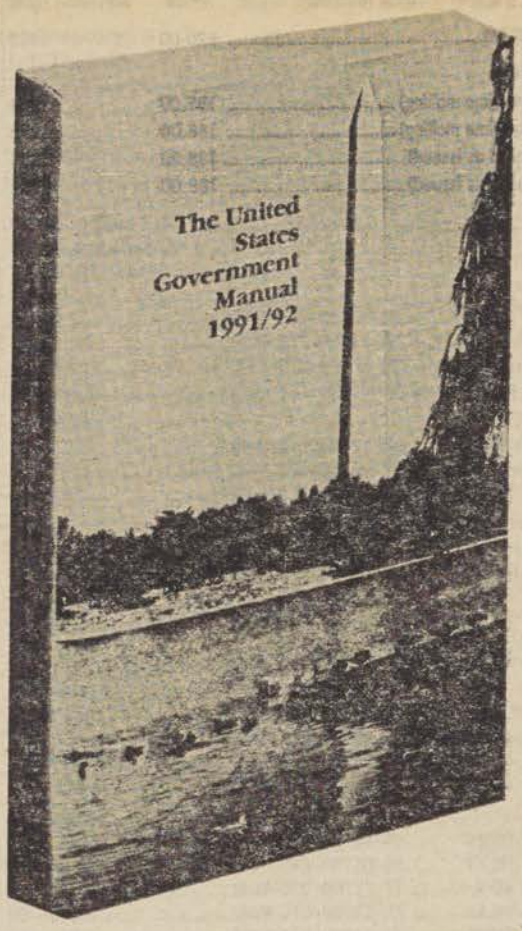

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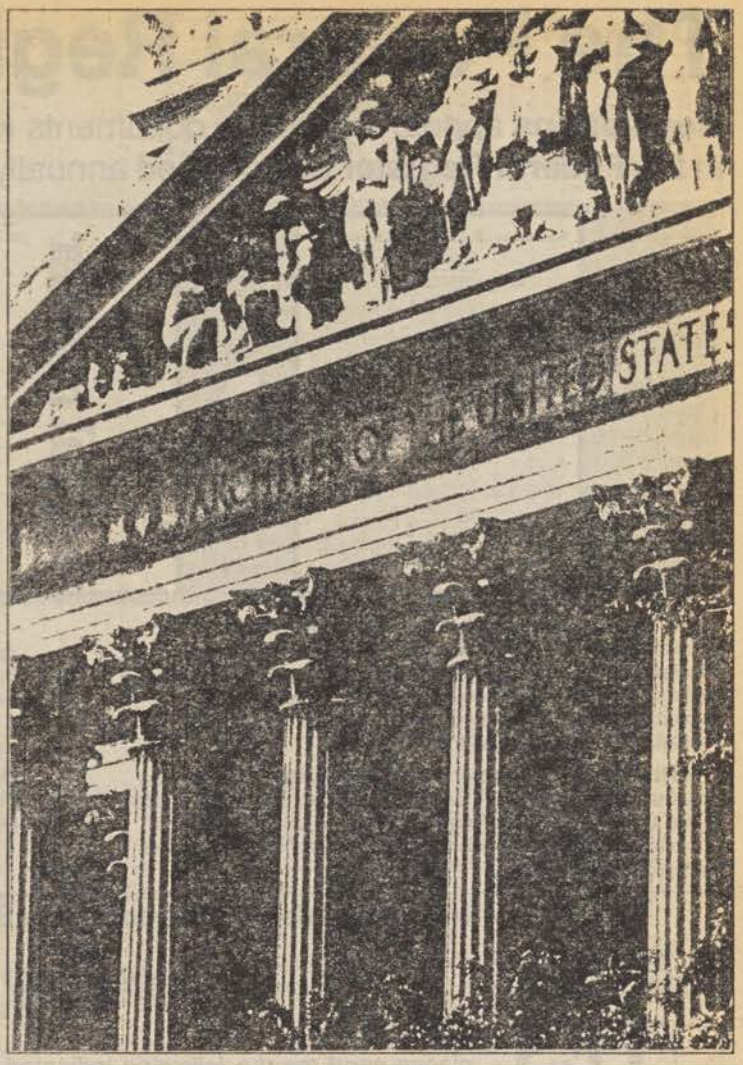

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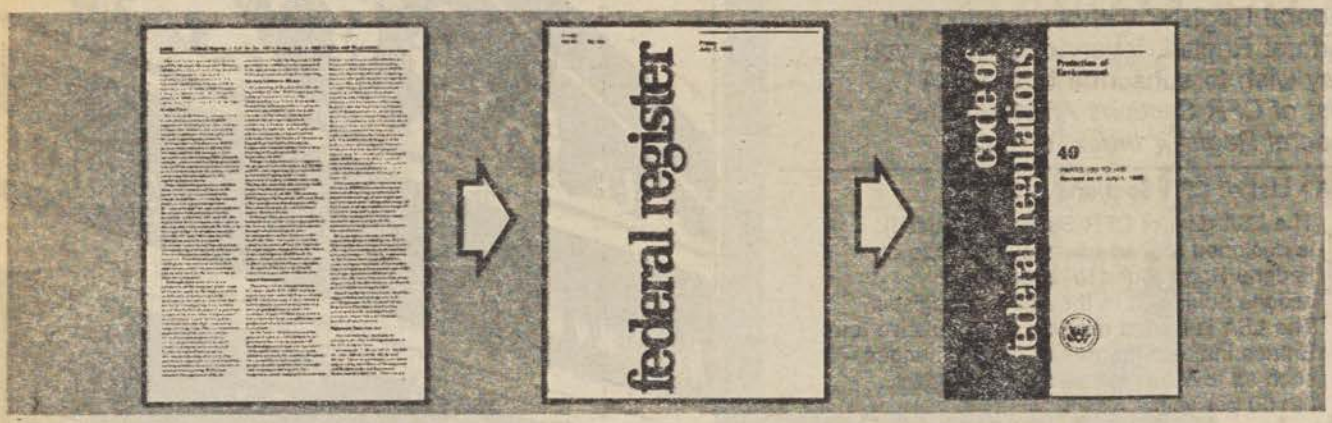

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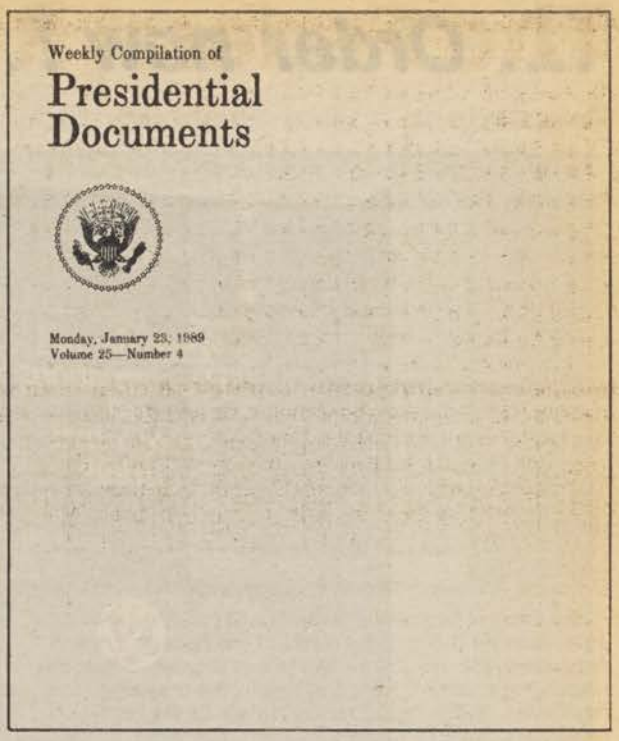

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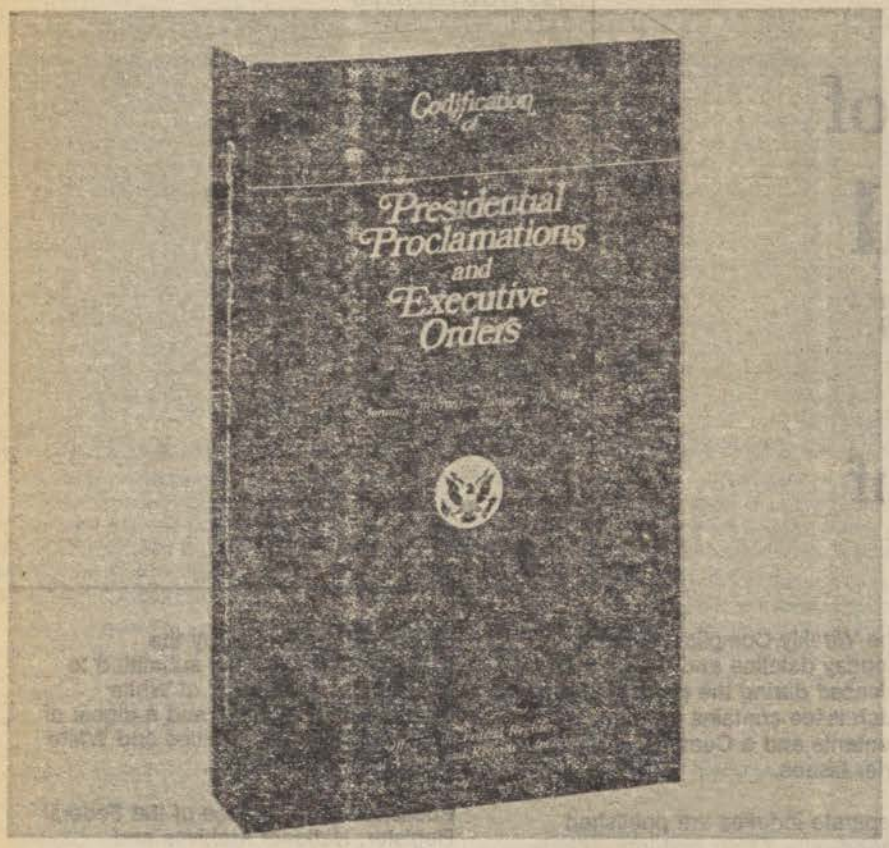

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